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MEMOIR OF THE LATE REV. JOHN KENTISH.

TO THE EDITOR OF THE CHRISTIAN REFORMER.

My dear Sir,—You have requested me to furnish you with a Memoir of our late excellent and venerable friend Mr. Kentish, and I readily comply with your wish, sanctioned by the approbation of those to whom his memory is dear from a connection even more intimate than my own. As he was “alone in his generation,” and has left no one on whom it has devolved as a filial duty to preserve the remembrance of his attainments and virtues, my long and confidential intercourse with him will naturally direct the thoughts of his numerous friends to me, as the person from whom they may receive some authentic memorials of his life. In the dedication of his Sermon at Exeter, on the Fiftieth Anniversary of the Western Unitarian Society, he has honoured me with the appellation of “his friend through far the greater part of the last fifty years.” More than ten years have since elapsed, during which the same unreserved communication has taken place between us in frequent personal intercourse, and by correspondence continued till a short time before his decease.

Mr. Kentish had become acquainted with my father during occasional visits which he had paid to Daventry and Hackney while Mr. Kentish was a student in these institutions. When he came to settle in the West of England, at the conclusion of his academical course, their acquaintance soon ripened into a warm and steady friendship. There was much in their character and circumstances to draw them together and unite them in mutual esteem and co-operation. Both were ardent lovers of Truth, as little disposed to shrink from the labour necessary for attaining it, as from the opposition and obloquy which attended its profession: both were devoted to the study of the Scriptures, and had derived from it the same firm conviction that the Trinitarian and Calvinistic doctrines were unscriptural: both were alike impressed with the duty of endeavouring to diffuse what they believed to be more just views of the nature and attributes of God, the person of Christ, and the object of the Christian dispensation. They had both an affectionate attachment to their Alma Mater, the Academy at Daventry, and to the person of Mr. Belsham, who had been my father's colleague and Mr. Kentish's tutor,—a bond of union which was much strengthened when the sister of Mr. Belsham, who had presided over his family at Daventry, became, in 1794, my father's second wife. The half-yearly assemblies of the ministers of Devon and Cornwall, held at Exeter, afforded them frequent opportunities of meeting; and after Mr. Kentish's return to the neighbourhood of London, he was a guest at my father's house. The recollection of the hearty welcome with which he was greeted on these occasions, and the kindness

of his manner, will never be lost, even by the youngest of the family; as the eldest son, and occupied, first as a schoolboy and afterwards as a very juvenile student, in the pursuits in which he most delighted, it was natural that I should have had the largest share in his notice, and retain the liveliest remembrance of what he was in those days. His searching examinations into my classical studies, served to direct my attention to the importance of minute accuracy in philological pursuits, and, aided by his subsequent instructions and example, have, I believe, been of lasting use to me in the occupation to which my life has been chiefly devoted. Nothing could be slurred, no want of fundamental knowledge escape detection, in reading to him. After my father's death, when it was evident that the Academical Institution over which he had presided could not be continued,* he was requested by my guardians to undertake the completion of my education for the ministry, which, at the time of its interruption, had not advanced beyond the preliminary course. He readily complied with this request, and I came to reside with him at Birmingham in June, 1805, and continued an inmate of his house till I went to Glasgow, in 1807. From that time, our friendship has been uninterrupted, maintained on my side by a high esteem for his intellectual and moral qualities, a grateful sense of his kindness, and a general sympathy in our views and feelings on the most important subjects, not precluding the free and harmonious discussion of points on which we differed.

I could not write on the subject of Mr. Kentish's life and character, while the feeling of his loss is so deep and recent in my mind, without any reference to my personal relations to him; but I was desirous not to intrude them unnecessarily into the Memoir, and I trust your readers will excuse me for occupying a small space with these preliminary remarks.

I remain, my dear Sir, yours very truly,

JOHN KENTISH.

THE REV. JOHN KENTISH was born at St. Alban's, on the 26th of June, 1768. His father was a younger brother of a family which for several generations had possessed landed property in the county of Hertford; † his mother was Hannah Vanderplank, daughter and heir of Keaser Vanderplank, Esq. Mr. Kentish was engaged in business as a draper at St. Alban's. In those days, the line of demarcation between the tradesman and the landed proprietor was not so sharply drawn or so strictly maintained as at present. The younger brother of a family which claimed to rank with the gentry, ‡ might often be found

* The only surviving pupils of this institution at this moment, are Mr. Madge, Mr. Walter Coffin, M.P. for Cardiff, the Rev. John James, the apostle of Unitarianism in South Wales, and myself.

† See Clutterbuck's Hertfordshire, Vol. II. p. 307. The estate of Sissivernes in that county was purchased by Thomas Kentish in 1698, and by him bequeathed to his nephew Thomas Kentish, of St. Alban's (grandfather of the Rev. John Kentish), who served the office of High Sheriff of the county of Herts in 1723. Clutterbuck erroneously makes Thomas Kentish the uncle, instead of the grandfather, of the Rev. John Kentish.

‡ "Boastful and rough, your first son is a squire,
The next a tradesman," &c.—POPE, *Moral Essays*, Epistle i.

carrying on one of those retail trades which implied the possession of capital, and, steadily pursued for years, seldom failed to be rewarded by the accumulation of wealth. Such men were frequently the pillars of Presbyterian congregations, and gave to the denomination to which they belonged, a position in the social scale which it is rapidly losing, where its place is not supplied by manufacturing prosperity. Though they stood behind their counter, they had a quiet, gentlemanly dignity of bearing, very different from the brisk obsequiousness of their modern representative. Such was the elder Mr. Kentish, as he appeared in the decline of life, when he was a visitor in his son's house, after he had renounced business. A daughter born in 1773, only lived long enough to receive the name of Catharine; and the son thus remained, the object perhaps of too intense and concentrated affection and interest on the part of his parents and uncles, as the sole representative of their family. His health was feeble, and did not promise a life prolonged beyond fourscore years, with so little of the "labour and sorrow" which are the usual portion of such longevity. He always spoke with deep affection and respect of his mother; the influence of maternal example and instruction, in forming the mind of the child to piety and the sense of duty, was a favourite topic with him, both in the pulpit and in conversation; and these were so strong in his own character, that his experience must have been in accordance with his observation of others. In his sermon on "Religion and the Female Character," he says,

"In every age and country, most of all in civilized times and regions, mothers of families have been treated with eminent honour. A respectful and deeply-affectionate deference has been shewn them by their offspring, nor least by sons and by son's sons. It is a natural and a delightful feeling: it bespeaks well-merited gratitude, and blesses at once the heart whence it proceeds and that to which it is addressed. History abounds with such examples: and there is something in the advice, 'My son, hear the instruction of thy father, and *forsake not the law of thy MOTHER,*' which I can never hear read nor repeat without deep emotion. Such advice, too, loses none of its propriety and force, when the precepts of the *mother* cease to be those of a living monitor." P. 363.

She died at Bath in 1793, and her son attended upon her during her last illness, feeling, as he said, that since Providence had denied her the blessing of a daughter, it was his duty as far as possible to supply the deficiency.

The influence exercised over his youthful mind by the minister of the St. Alban's congregation and intimate friend of his family, the Rev. Mr. Hiron, conspired with the impressions of his domestic education to form that serious and earnest devotion to religion which was so marked a feature of his character. Mr. Hiron, who had been educated under Dr. Aikin at Kibworth,

and Dr. Doddridge and Mr. Orton at Northampton, was a man of sound learning and fine taste, a tender and devotional frame of mind, great benevolence of temper, and in the limited sphere in which he began and ended his ministry,* a model of the character which the Dissenting pastor should maintain. His spirit was liberal and catholic; his doctrinal opinions, like those of many of the school of Doddridge, not sharply defined nor brought prominently forward; but as he was a frequent contributor to the *Monthly Review*, it is certain that they were far removed from orthodoxy. Mr. Kentish spoke, no doubt, from his own experience when, in his biographical notice of him, he described his manners as particularly conciliating to young persons, and his pleasure in exercising and satisfying their thirst for knowledge. Mr. Kentish's parents, not being themselves persons of literary habits, deferred much to Mr. Hiron's judgment in all that related to their son's education. No other vocation than that of the ministry seems ever to have been thought of for him; nature and early influences had dedicated him to the service of the sanctuary.

The school at which he received the whole of his preliminary education before going to the Academy, was not thought by himself to have been happily chosen. The vicinity of Hertford to St. Alban's would recommend it to parents anxious about the health of their child, and the school had enjoyed a high and deserved reputation under the management of the elder Worsley, the author of the Translation of the New Testament,† who was a good scholar and a successful schoolmaster; his son, who carried on the school for thirty years after his father's death, was a man of very amiable dispositions, but of too easy a temper for the maintenance of order and the due excitement of diligence among his scholars.‡ Mr. Kentish spoke with the reserve which he always practised, where it was necessary to censure, respecting the deficiencies of his own school education, but he was very sensible of them. "How little did I know on leaving school," was his reflection many years afterwards,—prompted in part, no doubt, by a sense of the vast extent of the realms of human knowledge, but in part, too, by the feeling that a better early training might have spared him the labour which he had afterwards to undergo, in order to attain that accuracy at which he always aimed.

Mr. Kentish was accompanied by his father to Daventry, and

* He was nearly 62 years minister of the St. Alban's congregation, first as assistant, afterwards as successor, to Dr. Clark, whose daughter he married. See an obituary notice of him by Mr. Kentish, *Monthly Repository*, VIII. 52.

† Published in 1770, after his death, under the title of *The New Testament or New Covenant of our Lord and Saviour Jesus Christ*, translated from the Greek, according to the present Idiom of the English Tongue.

‡ He died in 1808. See *Monthly Repository*, III. 515.

entered as a student in the Academy there in the autumn of 1784, when he had just completed his sixteenth year. He was not a student on the foundation, but what was called there a parlour boarder—a distinction accompanied with better accommodation in regard to rooms, and the opportunity of more frequent and familiar intercourse with the principal tutor, his family and visitors. Mr. Belsham had returned to Daventry, and assumed the place which Mr. Robins had been compelled to resign, three years before; the offices of assistant tutors were filled by Mr. Broadbent and Mr. Cogan, the former undertaking the departments of Mathematics, Natural Philosophy and Logic, the latter of the Classics. The four years of his residence at Daventry coincided with the most flourishing period of the Academy, and Mr. Kentish's character was rapidly matured under the influences of the place and the new society into which he was introduced. He appears at first to have felt the contrast between home and college, which is generally trying to the freshman; and which was perhaps greater to him who was an only child, and whose manners were more formal than is usual in early youth. The unpleasantness of this transition period was alleviated to him by the kindness of the late Mr. Heineken, who, though himself a student in his fourth year, and therefore entitled, according to academical etiquette, to keep a junior at a distance, took him by the hand and smoothed the way for him to an intimacy with those of higher standing. He has gratefully acknowledged this service in a biographical notice of his friend. Daventry was not only flourishing in the number of its students, which at one time amounted to fifty, but was especially adapted to call forth the energies of a mind like Mr. Kentish's, and stimulate it to improvement. Mr. Belsham was in what he calls "the manhood of his existence;"* he was engaged in teaching those subjects— theology and morals—which were most congenial to his taste; and, according to the testimony of his pupil, "never was instruction more ably communicated or discipline so effectually maintained."† A spirit of intellectual activity characterized the times, especially in connection with those subjects which enter most largely into the education of a minister. The writings of Lardner, Lindsey and Priestley, had drawn new attention to the Unitarian controversy; the metaphysical writings of Priestley had made Liberty and Necessity,‡ the Nature of the Human Soul, the Philosophy

* Williams's Memoirs, p. 231.

† Kentish's Funeral Sermon for Mr. Belsham, p. 6.

‡ Mr. Kentish's experience at Daventry of the immature age at which students plunge into these questions, led him to the opinion, which he always retained, that moral and metaphysical studies should be reserved to a later period. He was fond of applying to the debates which he had witnessed among the juniors at Daventry the description of Milton (P. L. ii. 557), marking with a peculiar emphasis the concluding line, "*And found no end in wandering mazes lost.*" It is

of Hartley and the doctrine of Innate Ideas, topics of lively interest and earnest debate. The American War and its issue, the establishment of a Republic without a national church, had given rise to anticipations of mighty changes in the institutions of Europe, though the fire which burst forth a few years later in the French Revolution, was felt, as yet, only as a genial and quickening heat. The students, having no prepossessions to contend with, and not being fettered by the responsibilities of office, advanced more rapidly in the path of the new opinions than their tutors, and had become Unitarians, while Mr. Belsham was yet halting between the new and the old.* Among these, Mr. Kentish appears to have been one. If he brought with him to Daventry any orthodox opinions, he carried none away. His fellow-students for the ministry,† Allard, Kell and James Scott, retained, it is believed, to the end of their lives, the doctrine of the Pre-existence of Christ; all the rest became in the strict sense Unitarians; and those whose names have been mentioned held their peculiar views with so much candour and charity, that they lived in the most friendly intercourse with their less orthodox brethren.

Mr. Kentish always reverted to his life at Daventry with unmingled pleasure. He did not, however, complete the ordinary course of five years' study, but removed in 1788 to the newly-established College at Hackney. A dispute had arisen between Mr. Coward's Trustees and some of the students on the subject of the use of written forms of prayer, which the Trustees wished to prohibit. The students presented a Memorial to them, asking for liberty to follow their own judgment in this respect, but were answered by a refusal. Mr. Kentish was not one of those who had felt difficulty in performing this duty without the use of notes, and not being a foundation student, he was not properly subject to the control of Coward's Trustees, but he thought the enforcement of the rule a violation of liberty, and joined in the Memorial. Matters were aggravated by an ill-judged step taken by some of the dissatisfied students, who printed and circulated a letter, in which the conduct of the Trustees was arraigned.‡

to be feared that the regulations of the University of London may create a difficulty in delaying these studies till after graduation.

* Williams's Life of Belsham, p. 421. Belsham's Life of Lindsey, p. 288.

† A list of Daventry pupils may be seen in Mon. Repos. XVII. p. 163, &c. The Rev. T. Johnstone, of Wakefield, appears to be the last survivor of Mr. Kentish's contemporaries.

‡ Mr. Belsham (Life, p. 359) says, "The application made to the Trustees did not originate in disrespect, indolence or irreligion; for those who have the greatest respect for the Trustees and think themselves under the greatest obligation to them, as well as those who are most diligent, most serious and most attached to free prayer, concurred in it." But he condemns the act of publication. (P. 361.) The whole affair seems to have given him great concern. (P. 369.)

The consequence was, that at the end of the session of 1787-8, several of them withdrew, and Mr. Kentish, with his friends John Corrie and William Shepherd, entered the New College at Hackney in September of the latter year. The chair of Theology and Hebrew, along with Mathematics, was then filled by Dr. Rees; Dr. Price nominally gave lectures on Natural Philosophy, which were really delivered by his nephew, Mr. George C. Morgan; the Rev. Hugh Worthington taught Classics, and Dr. Kippis History and Belles Lettres. These arrangements did not long continue. Mr. Worthington resigned, and his place was taken for a short time by Mr. Morgan, who was succeeded in 1790 by Mr. Wakefield; and in 1789, Mr. Belsham having resigned his office at Daventry, in consequence of becoming a Unitarian, removed to Hackney with several of his pupils, and became Tutor in Theology, Metaphysics and Morals.

Mr. Kentish was far from regarding his residence in the College at Hackney with the same feelings of satisfaction as the four years which he had spent at Daventry. He was delighted, indeed, to find himself again under the tuition of Mr. Belsham, and to become more intimately acquainted with men of such moral and intellectual qualities as Dr. Price and Dr. Kippis. He enjoyed the society of his old Daventry companions and acquired new friends, among whom it may be sufficient to mention the names of Wellbeloved, Hincks, Joyce and Tayler. He availed himself of the opportunity which the metropolis affords, of hearing those who were most eminent as preachers or parliamentary and forensic speakers, and no doubt benefitted in many ways by the change from the limited sphere of a small country town. But his high sense of duty was offended by the contempt of authority and irregularity of conduct which some of the students exhibited. There was a fatal error in the primary arrangements of the College; its founders thought they should secure the authority of the tutors by placing the maintenance of discipline in the hands of a Committee, to whom they might appeal for support. But this appeal deprived the tutors themselves of the power of immediate and independent action, and consequently of all effective control. This evil was not rectified till after Mr. Kentish had left the College, and Mr. Belsham had been invested with similar powers to those which he had exercised at Daventry—a change of which the effects were immediately visible in the improved conduct of the students, but which could not alone save the institution, weighed down by the load of debt which the Committee had imprudently contracted. After all, the irregularities were confined to a small proportion of the students. Mr. Wakefield, in his *Memoirs*, bears this remarkable testimony to the behaviour of *his* pupils: “Never was I connected with such a set of orderly, industrious, attentive, respectful and amiable youths. The flame of attachment which their gratitude and

affection kindled in my breast, will go out in that moment only when memory is extinguished.”*

In the autumn of 1790, Mr. Kentish, having finished his academical course, undertook the charge of a newly-formed congregation at Plymouth Dock.† His friend and contemporary at Daventry, the Rev. Thomas Porter, had settled a year before at Plymouth, and by his exertions a society had been formed in the neighbouring town, and the erection of a chapel begun, which was opened in April, 1791, by a sermon from Dr. Toulmin. The congregation was neither numerous nor wealthy, and it had to contend with great difficulties from the temper of the times and genius of the place. The influence of government was overpowering in a town created by the Dock-yard and dependent upon it, and it was unscrupulously employed to discountenance Unitarianism, which was obnoxious beyond all other forms of dissent to the party which then ruled England with a rod of iron.‡ Mr. Kentish was not a man to decline a field of labour because it was obscure, nor to be daunted by opposition; but his exertions proved unavailing, and on the resignation of Mr. Porter, who quitted the ministry and emigrated to America, he became the pastor of the Plymouth congregation in 1794. His first appearance as an author§ took place in this year. The Western Unitarian Society had been formed in 1792, and had fixed on George’s Meeting, Exeter, as the place in which its anniversary sermon was to be preached. Notice to this effect having been given on the Sunday preceding the meeting, Mr. White, a barrister and one of the Trustees, called his co-trustees together, and the use of the Meeting-house was refused. How far such an exercise of their power was legal, may be questioned; but as the notice had been given on the authority of the minister, without a vote of the congregation, probably the strict right may have been on their side. But it was well understood that the real cause of the refusal was the dislike and alarm with which the new Society was viewed, and this moved Mr. Kentish to address a Letter to Mr. White,|| in which, with great spirit and most conclusive reasoning, he vindicates Unitarians from the

* *Memoirs* (2nd ed.), I. 337. In the context he laments the low state of classical knowledge among them, and makes some strong remarks on the multiplicity of topics among which the student’s attention is distracted.

† Wreford’s *Sketch of Presbyterian Nonconformity in Birmingham*, p. 93.

‡ *Murch’s History*, p. 527.

§ He had been concerned jointly with Mr. Porter in drawing up a Liturgy for the use of the Plymouth Dock congregation. *Odgers’ Brief History of Plymouth Congregation*, p. 17.

|| It was reprinted, in 1800, under a more general title. Speaking of it in a note to his Sermon before the Western Unitarian Society, Mr. Kentish observes, that the person to whom it was addressed, “some years before his death, gave a public, unequivocal and gratifying proof of his candid estimate of the motives and object of the author of the Letter.” (P. 34.)

numerous imputations alleged or insinuated against them. Speaking of Dr. Priestley, then recently driven into exile, he says,

"In future times, when posterity shall dwell with thankfulness, admiration and rapture on the names of Wickliffe, Luther and other celebrated champions of our religion, that of Priestley shall not be forgotten. It is too common, Sir, even with those from whom better things might be expected, to speak of him as a dangerous political character. I would candidly believe that, of the persons who make the assertion, many are unacquainted with his works. His publications on civil government are comparatively few. His manners are unusually mild, his conduct the most blameless and exemplary. Why, then, was he thus the object of hatred, insult and violence? Why was his residence among us rendered unsafe and hazardous? Why, in his declining years, was he induced to exchange his native shores for a foreign land? It is not any strange thing that has happened to him. His undaunted and efficacious labours in the cause of religious truth, have displeased and enraged. Like the wisest and best men of every age and nation, he has experienced calumny and suffering. Yet we are consoled by the persuasion that, if Providence continue his life and health, he will still be eminently useful. The sun which has set upon this island will enlighten and bless other regions. With respect to his deluded countrymen, we doubt not that, when the hour of reflection shall arrive, they will, as one man, be sensible of their loss, blush for their behaviour, and ardently wish for the return of this voluntary exile."*

Mr. Kentish had formed several valuable friendships in the West of England, and always retained a strong affection for it, repeatedly visiting it in after years: but the success of his labours there had not been such as to induce him to decline an invitation given to him, in 1795, to become afternoon preacher at the Gravel-Pit Meeting, Hackney, in conjunction with Mr. Belsham, who had succeeded Dr. Priestley on his removal to America in 1794. In 1796, he was appointed to preach at Exeter, before the Western Unitarian Society, and delivered on that occasion one of the best of his sermons—his "*Moral Tendency of the Genuine Christian Doctrine.*" It was designed as an answer to a work recently published by the well-known Andrew Fuller, entitled, "*The Calvinistic and Socinian Systems examined and compared as to their Moral Tendency,*" in which, besides many illiberal assertions or insinuations, he had charged Unitarians with having "a heart secretly disaffected to the true character and government of God, and dissatisfied with the gospel way of salvation." Waving the question, not to be answered without a supernatural knowledge of the heart, what individuals and what churches are the most conspicuous for piety and virtue, Mr. Kentish, in his sermon, examines the great *principles* of Unitarianism, and shews their moral and religious influence. Mr. Fuller replied in his "*Socinianism Indefensible,*" to which Mr.

* A note to one of the volume of Sermons published by Mr. Kentish (p. 245), shews that it was written in 1794, the second year of the revolutionary war.

Kentish rejoined in his "Strictures," published in 1798. It was a seasonable service to the cause of truth, to check the self-righteous boastfulness of one who in his day exercised a more considerable influence in the religious world than either his learning or his spirit warranted.

In 1802, Mr. Kentish added to his engagement at Hackney that of morning preacher at St. Thomas's Meeting, Southwark, his friend Mr. Tayler having removed in that year to Nottingham. His connection with this society was soon dissolved, in consequence of his acceptance of the office of one of the ministers of the New Meeting, Birmingham, vacant by the resignation of the Rev. John Edwards. On taking leave of his two congregations, he preached and printed a sermon, entitled, "A Review of Christian Doctrine," which contains a summary of the principal topics of his own pulpit instructions. It gave rise to some friendly animadversions on the part of one of his hearers, the late Mr. Sturch, who thought that he had over-stated the evidence of the fulfilment of Christ's prediction of the siege and destruction of Jerusalem, and under-stated the natural evidences of the immortality of man.* In the arguments of Mr. Sturch's pamphlet, there is nothing new; but it may be interesting to quote the conclusion, as a testimony to Mr. Kentish's candour and love of truth, from one who must often have dissented from the opinions which he had declared in so decided a manner.

"In writing to you, Sir, I address a gentleman who knows and feels that a regard to truth, with a view to the promotion of human happiness, is a consideration paramount to all others. Your benevolent mind will not easily believe the existence of any improper motive, and will put the most candid construction upon any inadvertent harshness of language. And I am sure that I shall have full credit for my sincerity when I say, that it is the fervent prayer of my heart to Almighty God, that your truly Christian zeal for truth may be blessed with eminent and increasing success; that your capacity for usefulness may be long continued; and that your new situation may be productive of much benefit to the society with which you are connected, and of much comfort and satisfaction to your own mind."

Mr. Kentish's settlement at Birmingham was followed by his marriage, in October, 1805, with his second cousin, one of the daughters of John Kettle, Esq., of Birmingham, whose wife's sister was married to Mr. Kentish's uncle, Mr. Joshua Iremonger Kentish, of St. Alban's. Mr. Kettle's elder daughter had been married some years before to John Scott, Esq., of Stourbridge.

In the sermons which Mr. Kentish preached on assuming the pastoral office at the New Meeting, Birmingham, Jan. 23, 1803, he expresses a hope that he should ere long enjoy the co-opera-

* Mr. Sturch's Letter was the subject of some animadversion by a writer signing himself *Minimus*, who was certainly not Mr. Kentish, in Vidler's Universal Theological Magazine, I. 73. Mr. S. replied in p. 131 of the same volume.

tion of some able and congenial colleague. This wish was not immediately accomplished. It seemed at one time probable that Mr. Kenrick would have removed from Exeter to Birmingham;* and Mr. Kentish had engaged, at his friend's earnest solicitation, to undertake the same duties in the Academy which he proposed transferring thither, as Mr. Bretland had discharged at Exeter. Ultimately, the contemplated removal did not take place; and it was not till the beginning of the following year that the vacancy at the New Meeting was filled up by the settlement of the Rev. Dr. Toulmin. With this truly excellent and amiable man Mr. Kentish lived for eleven years in entire harmony and friendship, as he has feelingly testified in the sermon which he preached on occasion of his death.† With the exception of Baptism, their opinions on all the great points of Christian doctrine were the same; they were equally zealous in the diffusion and defence of Unitarianism, and the difference in their tastes, temperaments and abilities, gave to each a sphere of distinct and yet co-ordinate pastoral duty, without rivalry or collision. On Dr. Toulmin's death, Mr. James Yates became his colleague. He resigned his office from ill health in 1825, and was succeeded by Dr. Wreford. His voice failing in 1831, he was succeeded by Mr. Bache, who continued to be Mr. Kentish's colleague during the remainder of his life.

Mr. Kentish's occupations, as one of the ministers of a large and intelligent congregation like that of the New Meeting, were necessarily very different from those of his London life, where the duties of a pastor are chiefly those of the pulpit; and during the first years after his settlement, left him little time for merely literary pursuits. The religious instruction of the young had nowhere been made so prominent a part of ministerial duty; it was an office peculiarly suited to his taste, and he engaged in it with great ardour. Besides the usual courses of catechetical instruction, he drew up lectures, in which the Evidences of Natural and Revealed Religion, the origin and authenticity of the books of the Old and New Testament, the history of the Jewish people, their law and customs, and in short everything which was necessary to confirm the authority of Scripture and illustrate its contents, was briefly but comprehensively treated. The MS. of these lectures was circulated among the class that they might make themselves acquainted more deliberately with their contents and the authors referred to in them. The week-day duties

* Mr. Kentish was invited to Exeter, in 1804, to succeed Mr. Kenrick. He addressed a printed Letter to the New Meeting congregation, in acknowledgment of an Address presented to him, strongly urging his continuance with them.

† "Here, as a son with a father, I have served with your late honoured pastor in the Gospel. My grief is the resistless testimony of my heart to the eminence of his worth, to the distinguished candour and kindness which he shewed me, and to the harmony, strict and cordial beyond the common lot, which subsisted between us as friends and colleagues." (P. 6.)

of such a society were of course numerous, and whether called upon to take part in the joys or sorrows of his people, his sympathy was ever ready. It was in visits to the house of mourning, however, that the kindliness of his nature was most pleasingly seen; many are still living who gratefully remember his attentions in the season of their affliction. The institutions connected with the New Meeting society, though less numerous than they have since become, were justly considered by him as claiming the superintending care of a pastor.

The volume of Sermons published by Mr. Kentish in 1848, at the request of his congregation, will afford the means of judging of the subject and style of his pulpit compositions. They are all practical, and represent the general strain of his preaching, when doctrinal topics were not called for by some special occasion. From his early years* he had studied precision and conciseness; his mind was not imaginative, and he would have despised the attempt to supply the want by the artificial ornaments of rhetoric. His aim was to convey weighty scriptural truth in plain but emphatic language. The effort at condensation may sometimes be too evident, and the almost aphoristic brevity of the style may suggest to the reader the idea that his discourses would be hard and dry in the delivery. But the fact was quite otherwise; he was a preacher to whom it was impossible to listen without the attention being engaged and the feelings interested. His manner was earnest, solemn and impressive, his voice of great power, and though not of equal flexibility, it had some tones of deep feeling. One quality will be remarked in all his sermons—his care to explain the passage of scripture on which they are founded and deduce his instructions from it. This he considered as a duty, and no eloquence or ingenuity would have induced him to give unmodified praise to a discourse, in which the preacher had used his text as a motto, or taken up with the inaccurate rendering of the Common Version, or put a sense upon the words which did not belong to them.† Some of the most interesting of the sermons in his printed volume, are those which were evidently delivered on occasion of funerals, as Nos. XXIII., XXVI., XXVII., XXVIII., in which his former hearers may recognize allusions to the characters of departed friends.‡ His addresses to the younger members of the congregation, at the commencement of the year,

* The "Repository" of the Daventry students is said to be still extant, and to contain contributions of his, marked by the qualities of his later style.

† His views respecting the composition of sermons are stated in his Charge to the Rev. Franklin Baker, p. 7, foll.

‡ I may mention here that two sermons, printed in "Discourses by the late Rev. T. Kenrick," 2 vols. 1805, Nos. XIII. and XIX., are of Mr. Kentish's composition. They had been lent to his friend at a time when he was much oppressed by the business of the Academy, and having been copied by him, were supposed by the editors to be his.

were in a strain of affectionate and earnest exhortation accordant with the solicitude which he felt for their welfare, and the peculiar tenderness with which the rising generation always inspired him. The long list of his printed sermons is the best proof how effectively he discharged the office of a preacher on public occasions. His devotional services were remarkable for fervour and solemnity, and, as might be expected from his peculiar studies, enriched by the phraseology of scripture.

The practical duties of his profession prevented Mr. Kentish for some time after his settlement at Birmingham from devoting much time to classical studies; but his critical study of the Scriptures was never suspended. He was already well versed in Hebrew, Chaldee and Syriac, and made himself master of German, that he might read the works of Michaelis and Eichhorn, then the great authorities in the biblical criticism of that country. His excellent memory enabled him with little difficulty to acquire a new language. He soon began the practice of communicating to periodical publications the results of his professional reading. The earliest that can be clearly traced to his hand, is an elaborate article on Belsham's Elements of the Philosophy of the Mind, in Vidler's Universal Theological Magazine for 1804 (pp. 36, 88, 148). It is without any signature, but the respectful reference to Mr. Belsham as the author's tutor, the scrupulous accuracy of the quotations, including not only the page but the edition of the writer quoted, and the careful discrimination of the author of the Rambler as Dr. *Samuel* Johnson, identify it to any one familiar with Mr. Kentish's manner. He was an early contributor to the Monthly Repository, which succeeded Vidler's Magazine. The review of Kenrick's Sermons in the volume for 1806, and of Belsham's Summary View of the Evidences of Christianity in the volume for 1807, are from his hand. The first article of Biblical Criticism with the signature N., which afterwards was annexed to so many valuable contributions to the Monthly Repository and Christian Reformer, is found in Vol. III. p. 152. It is short, but contains a remark of which subsequent translators of the New Testament have not availed themselves, that ἀναπέσει, in the account of Saul's consenting to the stoning of Stephen (Acts viii. 1, xxii. 20), is more correctly rendered, as in the Syriac, by a word implying "putting to death," than by "death" simply.* With the exception of his printed sermons, what he has published consists entirely of communications, in the form of reviews or essays, to these periodical works. His mode of reviewing was strictly analytical; but this was generally adopted by him, not merely in order to inform the reader what the author had said, but to express his own judgment on the subject of which the book treated. His biblical criticisms,

* Worsley renders ἀναπέσει, "execution;" De Wette, "*Hinrichtung*;" but this implies a legal penalty.

in the form in which they were published, often arose out of accidental circumstances—his own reading, or a discourse to which he had listened, and therefore appeared under the disadvantage of being without connection. At a late period of his life, at the suggestion of Mr. Wallace and another friend, he collected and published them, arranged in the order of the books of Scripture; and by his liberality in distributing this work, they have been placed in the hands of almost all his brethren in the ministry. They will be a permanent evidence of his unremitted study of the sacred volume, the illustration of which may be said to have been the central purpose towards which all his reading was directed, of his various learning, and of the sound discrimination with which he weighed the evidence of renderings and MSS. Perhaps the most valuable lesson which they teach to those who have not his ample theological library at command is, how much may be done towards ascertaining the true sense of Scripture, by a comparison with itself, if the reader will disregard the associations derived from an inaccurate translation, and study it in the original and in its connection.*

When Mr. Wellbeloved, in 1814, projected his Translation of the Bible, Mr. Kentish was the person on whom he chiefly relied for aid in his extensive and arduous undertaking. Had it been executed on its original scale, Mr. Kentish and Dr. Carpenter would have had the chief share in making the Translation and Notes of the New Testament. The readers of the *Christian Reformer* are aware of the causes which prevented the publication of more than a portion of the Old Testament. The preparation of this for the press proceeded under the constant revision of Mr. Kentish. The proofs of the Translation and Notes were always submitted to him; and in the conclusion of his General Introduction (p. xxxvi), the editor gratefully acknowledges "his obligations to him for many important emendations and much friendly encouragement in the prosecution of his arduous undertaking." His co-operation in this work not only afforded Mr. Kentish an employment most congenial to his tastes, but drew closer his connection with his old and highly-valued friend. It had been previously renewed and cemented by the interest which he took in the College at York, over which the same friend presided. He was a zealous champion of the Protestant principle† that Scripture alone is the standard of Christian faith and practice, and therefore warmly approved of the practice, there first systematically carried out in a Dissenting Academy, of abstaining from direct dogmatic teaching, and making the training of the

* His volume was reviewed in the *Gentleman's Magazine* (Vol. XXVIII. N. S. p. 231), a publication not usually favourable to "Dissenting divinity," with an acknowledgment of "the learning, diligence and ability of the author, his sincerity of purpose and thorough desire of discovering and publishing the truth."

† See his Sermon at Exeter before the Western Unitarian Society, 1811.

theological student to consist chiefly in the study of the Bible. In other respects he regarded very favourably the plans of instruction adopted in that institution. His visits to the annual examination were continued, with scarcely any intermission, till his infirmities prevented his leaving home, and he gave his patient attention to the business of the classes through the long hours which wearied younger men. For many years he had endeavoured to encourage the study of Mathematics, which he thought had not its fair share of popularity, by prizes anonymously given. Indeed, next to the promotion of biblical knowledge, the great object at which he aimed was to maintain a high standard of literary and scientific attainment in academical education, and supply the religious body to which he belonged with ministers who should sustain and extend its reputation.* He contributed not only liberally, but munificently, to the support of the College at York; he assisted those whom he regarded as promising candidates for admission in their preliminary studies, and, if necessary, through the whole of their course; and rendered them even more valuable service by corresponding with them, as a friend and adviser, during their residence at College. Nor did his interest in them cease when they left it; but in several instances the correspondence so begun was carried on till near the close of his life.

The death of Mr. Kentish's father in 1814, and subsequently of his three uncles, who died either unmarried or without children, afforded him the means of obtaining a more pleasant residence, increasing his library, and exercising hospitality on a larger scale towards his friends and his brethren. It gave him, at the same time, the power of contributing more largely to objects of public and private charity. His temper was very benevolent, but in the indulgence of this feeling he exercised that discrimination which was the characteristic of his mind. Before he gave his support to any plan of public usefulness, he required more evidence of its probable success than the anticipations of a sanguine projector, and hence may have occasionally disappointed expectation. He was, as a general rule, more inclined to maintain old institutions than to replace them by new ones; but those which he thoroughly approved he supported steadfastly and took an active part in their administration. His habits of mind qualified him for the despatch of public business. He employed no unnecessary words nor wandered into irrelevant discussions, and he knew how effectively to check the discursiveness of others. In the local and merely secular business of

* Mr. Kentish's desire for a learned ministry did not prevent his perceiving the necessity of another class of labourers, whom, however, he wished to see not less carefully trained for their special work. See his Sermon before the Unitarian Fund, 1814, pp. 34—36. Some adaptation of our plans, so as to occupy the space between the highly-educated and the uneducated, seems to be called for.

the town he rarely took any part, greatly disapproving of the political feeling which prevailed in it for many years. When, in the year 1830, however, the Governors of King Edward's School endeavoured surreptitiously to insert in an Act of Parliament a clause excluding all Dissenters from the governorship,* he took a public and active part in the proceedings which compelled them to abandon their illiberal design. He accompanied a deputation from the New Meeting society, in 1834, to represent to Earl Grey, then at the head of government, the various grievances under which Dissenters laboured—Church Rates, the Law of Marriage, denial of the right of Burial according to their own forms in Churchyards, and exclusion from the Universities; and on his return, published in the *Monthly Repository* an account of their reception by the Premier.† It was not part of their Memorial to urge the separation of Church and State, on which point, however, they fully stated their opinion. This was almost the only subject bearing on politics, in regard to which Mr. Kentish held what might be called extreme views. They resulted from the veneration with which he regarded the Protestant principle, which he thought was infringed by giving to particular interpretations of Scripture the sanction of law and national endowment. But he had no sympathy with the political party by whom this cry was raised, and little confidence in the liberality of some of the religious bodies by whom it has been adopted. By hereditary connection, by the tendency of his pursuits and habits, as well as by deliberate conviction, he was a Whig. His family had considerable influence in the borough of St. Alban's, of which they had been five times mayors during the 18th century, and had always supported the cause of the Spencer family, then the patrons of the borough. Mr. Kentish, on attaining his majority, became a Burgess in right of his father, and more than once visited St. Alban's to support the Spencer candidate. But he was always dissatisfied with the entire absence of true public spirit on the part of the electors, who, though less venal in those days than they have since become, were equally selfish; and he rejoiced when the Reform Bill deprived him, as a non-resident freeman, of his franchise. He had begun to take an interest in public measures just about the time when Mr. Fox, casting off the slough of those party influences which had engaged him in the Coalition, stood forth as the Man of the People, the champion of Civil and Religious Liberty; and to him he adhered with enthusiastic admiration during the rest of his life. He transferred his political allegiance, after his death, to his high-minded successor in the defence of the same principles, Earl Grey. The services of Lord John Russell in procuring the Repeal of the Test and Corporation

* *Mon. Repos.*, 1831, p. 68.† *Mon. Repos.*, 1834, p. 337.

Acts, and in originating and supporting many other measures of a liberal character, were warmly acknowledged by him; he reposed almost unbounded confidence in his rectitude and discretion. And though he did justice to Sir Robert Peel's services in procuring the enactment of the Dissenters' Chapels Bill, he was sure to mark with strong disapprobation any disposition to exalt the statesman whose rule had been to follow public opinion, above one who had opposed it when erroneous, and patiently laboured to turn it into a right direction.

Firmness in the maintenance of convictions once deliberately adopted, was the characteristic of Mr. Kentish in theology as well as in politics. He had witnessed important changes in the denomination to which he belonged. In the ferment of opinions which accompanied the outbreak of the French Revolution, several of his college companions at Daventry and Hackney abandoned their belief in Christianity, but his faith was never shaken. Again, at a much later period, a disposition manifested itself to undervalue the specific doctrines of Unitarianism, to regard the miracles of the gospel-history as either of doubtful authority or at least of little force, as proofs of a divine mission; and external and historical evidence as altogether of inferior importance to the internal conviction produced by the harmony between the Christian doctrine and the inherent sentiments of human nature. Mr. Kentish entertained very friendly feelings towards some of those by whom these views were adopted, and he was well acquainted with the German and American writers who have procured them popularity; but they produced no effect on his own opinions. His belief in the truth of Christianity and his hopes from its promises, were built upon its historical and supernatural evidence. His conclusions on this subject are entitled to the greater respect, because the investigation of evidence was a favourite study with him; he was well acquainted with the most celebrated trials in our judicial history, and loved to converse with lawyers on this subject. Law, indeed, was a frequent topic with him; and if he had had to choose any other profession than that to which from his childhood he had been devoted, he would have fixed on the law. The firmness with which he maintained his opinions may sometimes have brought on him the imputation of dogmatism; and in earlier life there was a vivacity in repelling objections which gave the appearance of his being impatient of dissent. In later years this was greatly moderated, and there never was a time when he would not listen candidly to those whom he knew to be qualified to judge, and who opposed him with good temper and courtesy.

Next to the duties of his profession and the study of the Scriptures, classical and historical reading were Mr. Kentish's great delight. As he was always an early riser, he was able to secure some time for them even in the busiest part of his life.

In the year 1824, he began to record in *Adversaria* his literary occupations; and they shew what a wide range his studies included. Books, indeed, formed one of the great pleasures of his existence; and the love of them increased, instead of diminishing, with age. He took no great interest in practical or elegant art, in antiquities, or in the sciences which have the description and classification of external nature for their object. Even the beauties of natural scenery seemed to delight him less from their own charms than from the light reflected on them by association with some favourite author who had described or alluded to them. His taste, being formed on the classical models both in ancient and modern literature, was correct and pure, but it was by no means exclusive. Scott and Wordsworth, Hemans and Bryant, shared his admiration with our older poets. Of Mrs. Barbauld's poetry and prose he always spoke with the greatest delight, as models in either kind. But no genius or elegance could reconcile him to authors in whom he saw laxity of principle or a design to corrupt the morals of their readers.

In 1832, when a vacancy in the pastorship of the New Meeting had occurred, by the resignation of Dr. Wreford, Mr. Kentish entertained thoughts of resigning his own charge. The earnest wish of the congregation, however, that he should retain his office, and the election of Mr. Bache, who was anxious to have him as his colleague, induced him to modify his original intention. He retained the name of pastor, performing such part of the public duty as his inclination dictated or his strength allowed; and continued to preach for several years afterwards, till increasing infirmity compelled him to be a hearer only. His removal to Park Vale, in 1834, placed him more beyond the reach of society with his congregation, but afforded him greater opportunities of tranquil study. In the year 1840, it was determined by the members of the New Meeting congregation to request him to sit for his portrait, for presentation to Mrs. Kentish, "as a testimonial of the respect and affection of the congregation for their pastor, and an expression of their veneration for his private virtues, their admiration of the independence, usefulness and integrity of his public life, and their gratitude for the unwearied zeal, affectionate solicitude and undeviating faithfulness with which, during a period of thirty-seven years, he has performed his duties as a Minister of this Congregation." In his reply to the address of his friend Mr. Russell, by whom the portrait was presented, at a public meeting of the congregation, Mr. Kentish, having acknowledged his own gratitude for the favour which they had bestowed on him, adds, in reference to its special destination as a present to Mrs. Kentish,—

"My obligations, Sir, at this time are immeasurably heightened by the friendship and delicacy which have dictated the ulterior, nor perhaps very distant, position of your costly gift. While I thank you for

myself, it is fit that I thank you, if possible, far more warmly on account and in the name of one whose aim it has been during thirty-five years,

‘Well-ordered home, man’s best delight, to keep;’

and whose relation, Sir, to your society from her infancy would of itself give her the deepest interest in the welfare of you all, and signally endears to her every gift which she receives from your hands, and certainly not least of all the gift which she receives and accepts this day.”*

Mr. Kentish had visited London, which he had rarely done since he ceased to reside there, in order to sit for his portrait to Phillips. It is one of the latest and one of the most successful of his works, and a most faithful likeness of the firm, intelligent and animated countenance, exhibiting no trace of the decay of power, and the ample forehead shaded by the snow-white hair, the emblem of “wisdom and an unspotted life.” An admirable engraving by Lupton, familiar to many of our readers, has preserved the excellences of the painting as far as an engraving can.

The succeeding ten years of Mr. Kentish’s life passed without any remarkable event. He was able fully to enjoy society, though to a more limited extent than formerly; he kept up an active correspondence with many distant friends, and pursued his studies with unabated ardour. He regularly attended the periodical meetings of the ministers in his neighbourhood, which he rendered more animated and instructive by the facility with which he produced his rich stores of knowledge on all subjects connected with theology and Dissenting history. The publication of his *Notes and Comments* in 1844, and his *Sermons* in 1848, afforded him much interesting occupation, and perhaps at no period of his life had he more true and rational enjoyment of its blessings. About four years before his death, some one who had received kindness from him presented him with a sun-dial, which he set up on his lawn with the inscription, *NON NUMERO HORAS NISI SERENAS*. On a friend’s observing to him that the clouded hours of his life had been few, he acknowledged with pious thankfulness the happiness of his own lot. His private memoranda during this period, if it may be allowed for once to allude to them, afford abundant proof of the gratitude with which he contemplated it, and of his watchfulness over himself, lest enjoyment should lessen his sense of dependence, or attach him too strongly to the present life. He had, indeed, been unusually exempt from great trials or great temptations. He had scarcely known sickness; he had not been compelled to labour and struggle in order to attain a respectable position in society; his domestic happiness had been uninterrupted, and his few bonds of kindred had been gently dissolved by the course of nature without affording any cause of violent grief. His life had therefore offered little scope for the more

* *Christian Reformer*, N. S., VII. 686.

difficult exertions of virtue. Yet it should be regarded as no small praise to have filled with fidelity and good conscience the sphere of life in which he had been placed; to have preferred the service of God and his fellow-creatures to other employments of his talents more tempting to ambition, and to have used wealth as a good steward of the gifts of Providence. Those who knew him were aware that there was in his character a firmness and fearlessness of purpose, a profound love of truth and honesty, a religious sense of duty, which would have carried him through any trials necessary to the testimony of a good conscience. And his piety and faith would have enabled him to endure patiently the sufferings of a prolonged struggle with disease.

Happily for himself and for those about him, this trial was spared to him. The loss of muscular power had been evident for several years in his walking; writing became difficult, so that he was glad to employ an amanuensis; and on one occasion he was suddenly taken ill at the entrance of his own grounds on his return from the School for the Deaf and Dumb, and it was necessary to carry him into his house. Nothing, however, occurred to create serious alarm till October, 1850. This attack passed off, but left behind it increased feebleness, unaccompanied by pain, and a very gradual decline ensued. The mind remained clear, though less vigorous than before; his studies became more desultory; his correspondence, which he continued till a short time before his death, more brief: the last entry in his *Adversaria* is of July 4th, 1852, a memorandum scarcely legible, of the sermon heard the preceding day. Since the beginning of the present year, the symptoms of a more rapid loss of vital power had shewn themselves, though nothing indicated that the close of life was so near at hand. To the last he was able to come down stairs for the greater part of the day.

His death was a true Euthanasia. On Sunday, March 6th, he had performed domestic worship in his family, with the seriousness and solemnity with which he always discharged that duty, as early as six in the evening, and soon after retired to rest. At nine o'clock he was visited, and appeared to be in a state of peaceful sleep; but at ten an alarming change was perceptible in his breathing, and his spirit had passed away before medical aid could be procured. He had been suffering from an attack of pneumonia, slight in itself, but sufficient to stop the functions of life in a frame whose energies were already exhausted. And thus tranquilly his days were brought to a close, and he "fell asleep in Jesus."

His interment took place in the public Cemetery at Kaye Hill, near Birmingham, on the 15th of March, amidst a large concourse of attendants and spectators, the preliminary funeral ceremonies having been performed in the New Meeting by Mr. Bache. It was a day of singular beauty—a day of spring interposed among

weeks of winter—and by the mingled traces of nature's decay and revival, well suited to the mixed feeling of sorrow and hope with which the Christian looks on death. Among those who stood round the vault in which dust was consigned to dust, there were some who felt that they had taken leave of a friend and kinsman whose place could never be supplied to them. His brethren of the ministry lamented the loss of one who had been a light and ornament of their common profession; the members of his congregation, of a faithful pastor and guide, who had laboured long and earnestly for their spiritual welfare. And even the spectators who were not connected with him by personal knowledge or community of belief, expressed by their respectful interest the feeling that the grave was about to close over one who, by his public and private virtues, deserved to live in the remembrance of his neighbours and fellow-citizens.

THEODORE PARKER'S SERMONS.*

THAT a volume of sermons should be a publisher's dread, and the object of a critic's most soporific labour, need excite but little wonder, if the average qualifications of the preaching class and the nature of the preacher's subject be fairly taken into account. Religion is the oldest theme of exhortation and authorship in the world. And yet—the preacher interrupts us—the faculties and emotions to which she appeals are so essential an element in the human being, that the influence of the pulpit ought to be as wide and deep as in the days when apostles went preaching from synagogue to synagogue. Granted, that so it is—that in this respect there is but little difference between the ancient and the modern mind—that crowds as eager and as numerous followed Wesley and Whitfield as ever hung upon Chrysostom and Gregory; yet when we come to authorship, to the silent impassibility of a printed page, discarding the help of look and tone and gesture, the case is widely altered. Not the critic only, but the public begins to inquire if the requisite conditions of justifiable authorship have been satisfied. Does any originality of matter, any peculiar grace of style, distinguish the printed composition above those which are weekly heard from a thousand pulpits? And we are driven, in answer, to the old plea, How hard to be original and eloquent and impressive on the most worn of possible subjects!

If preachers, however, choose wilfully to rush into print and encounter the ordeal of criticism, they must adopt the responsibilities, as well as take up the privileges of authorship. They

* Ten Sermons of Religion. By Theodore Parker, Minister of the Twenty-eighth Congregational Church in Boston. London—Chapman. 1853.

have always the alternation of confining their lucubrations within the four walls of their own church. But even within these limits we think they are often hardly used. They lay claim to no larger a share of the nation's collective intellect than must be possessed by any body of well-educated professional men; yet they are set to a task, the successful performance of which would tax the utmost resources of the most original and fertile mind. Were any political writer to produce every week a well-written pamphlet on the week's events, the whole empire would ring with astonished praises of his fecundity. Yet this is precisely what is expected of the minister. A sermon every Sunday morning is the looked-for tale of brick, and he must collect the straw as he can. It must be new, or how will people listen to it? It must be true, or what good will it do them? Yet truth and novelty are two qualities which theologians find it especially hard to combine. The auditory includes probably every variety of comprehension and education—a college training in one pew, and a doubtful power of reading and writing in the next: the minister must be neither too high for one nor too low for the other. Even the legitimate range of his exhortation is narrowed by prejudice: he must keep clear of the day's events, or he can hardly fail to give umbrage; and the setting forth of Christian doctrine has been lately found out to be inconsistent with the practice of Christian charity. We can safely say that we have invented or exaggerated no feature of our case. Yet, under all these restrictions, the minister, a man of ordinary talent and average acquirements, is expected to display an amount of genius and literary energy which, if applied in other directions, must inevitably result in the highest distinction. And as of course he is without the qualifications, which are not possessed by one man in a million, the result can only be disappointment. We hear daily louder complaints of the inefficiency of preachers. The subject of complaint ought rather to be the unreasonable expectations of hearers.

Mr. Parker is one of the very few preachers with whom we are acquainted, who may safely venture before the larger public opened to him by the press. Few readers—except, indeed, those who will drink instruction only at licensed fountains—will lay down the volume before us without confessing that they have received important accessions of instruction and religious impulse. These Ten Sermons of Religion include much that is true, much that is striking, much that is beautiful, and some things that are new. Their subjects are, indeed, the simplest possible; and the texts such as have preceded countless volumes of religious commonplaces. But the reader will find no commonplaces here. He will find, indeed, the commonest truths of religion, but enunciated, developed and enforced by a vigorous and natural mind, which neither looks on truth from that invariable point of view which laymen often feel to be only professional, nor expresses

conviction in those stereotyped phrases which have long since lost all earnest significance.

But the highest praise which we can give to these discourses is that they are truly practical. What a misnomer is what is usually called a practical sermon! A moral precept from the Proverbs for a text, and a string of dry, ethical deductions for the matter, called practical, we presume, simply because they are not doctrinal, but conveying as little *personal* instruction and impulse to the mixed congregation which hears them, as an exhortation in an unknown language. How often is there in such a discourse any allusion which might serve as a point of connection between it and the hearers' ordinary life? And what wonder, while the preacher thus severs the continuity between Sunday's sermon and Monday's work, if the congregation begin to think that the two have little in common? As Mr. Parker himself says,—

“Men grow dull in their churches. What a weariness is an ordinary meeting on one of the fifty-two ordinary Sundays of the year! What a dreary thing is an ordinary sermon of an ordinary minister! He does not wish to preach it; the audience does not wish to hear it. So he makes a feint of preaching, they a feint of hearing him preach. But he preaches not; they hear not. He is dull as the cushion he beats, they as the cushions they cover. A body of men met in a church for nothing, and about nothing, and to hear nobody, is to me a ghastly spectacle. Did you ever see cattle in a cold day in the country crowd together in an enclosure, the ground frozen under their feet, and no hay spread upon it,—huddling together for warmth, hungry, but inactive, because penned up, and waiting with the heavy, slumberous patience of oxen till some man should come and shake down to them a truss of clean bright hay, still redolent with clover and honeysuckle? That is a cheerful sight; and when the farmer comes and hews their winter food out of the stack, what life is in these slumberous oxen! their venerable eyes are full of light, because they see their food. Ah me! how many a herd of men is stall-hungry in the churches, not getting even the hay of religion, only a little chaff swept off from old thrashing-floors whence the corn which great men beat out of its husk was gathered up to feed and bless mankind! Churches are built of stone. I have often thought pulpits should be cushioned with husks.

“Of all melancholy social sights that one sees, few are so sad as a body of men got together to convert mankind to sectarianism by ecclesiastical machinery,—men dead as timber, cut down dead and dry! Out of wire, muslin, thread, starch, gum, and sundry chemicals, French milliners make by dozens what they call roses, lilies of the valley, forget-me-nots, and the like. Scentless and seedless abortions are they, and no more. What a difference between the flower the lover gathers by the brook-side for his maiden's breast, and the thing which the milliner makes with her scissors; between the forget-me-not of the meadow and the forget-me-not of the shop! Such an odds is there betwixt religious men and Christians manufactured in a mill.”—Pp. 268, 269.

Mr. Parker's volume is a bold attempt to repair this fault and

supply this deficiency. He preaches to men of the world, and not like "an ordinary minister." Were we disposed to be captious, we might complain that he often runs into an opposite extreme. He is so determined not to be formal and conventional, that his style is sometimes to be charged with an ungraceful familiarity. He is so resolved not to hide his meaning in a pulpit phrase, that he occasionally clothes it in New-England slang. He is so intent upon a novelty and force of illustration, as to give his wit a somewhat freer play than is always decorous in the pulpit. But with all these drawbacks—and it must be remembered that every reader will fix the debateable line of good taste in a different place—these Sermons are better worth the attention of those earnest and thoughtful laymen whose ear all preachers are anxious to gain, than any we have long seen.

It is, however, time to give our readers a specimen of their contents. The key to the connection between the whole ten sermons is to be found in the subject of the first, *Of Piety and the Relation thereof to Manly Life*. Piety is the love of God. But man, as a spiritual being, is possessed of four faculties,—the intellectual, the moral, the affectional and the religious,—in other words, the mind, the conscience, the heart and the soul. Piety, then, is fourfold. "The mind contemplates God as manifested in truth," therefore "love of truth in general is the intellectual part of piety." "The conscience contemplates God as manifested in right, in justice," and "love of right is the moral part of piety." "The heart contemplates God as manifested in love," and "love of God, as love, is the affectional part of piety." And lastly,

"The Soul contemplates God as a being who unites all these various modes of action, as manifested in truth, in right, and in love. It apprehends him, not merely as absolute truth, absolute right, and absolute love alone, but as all these unified into one complete and perfect Being, the Infinite God. He is the absolute object of the soul, and corresponds thereto, as truth to the mind, as justice to the conscience, as love to the heart. He is to the soul absolutely true, just, and lovely, the altogether beautiful. To him the soul turns instinctively at first; then also, at length, with conscious and distinctive will."—P. 9.

The direction thus given to the thoughts is followed through great part of the volume, as will be manifest from the titles of the remaining nine discourses, which we copy. II. *Of Truth and the Intellect*. III. *Of Justice and the Conscience*. IV. *Of Love and the Affections*. V. *Of conscious Religion and the Soul*. VI. *Of conscious Religion as a Source of Strength*. VII. *Of conscious Religion as a Source of Joy*. VIII. *Of the Culture of the Religious Powers*. IX. *Of Conventional and Natural Sacraments*. X. *Of Communion with God*.

We have only one word to add before passing to the extracts which we are assured will justify our commendation of these

discourses. If any of our readers should be induced to read them at length, they may be surprised to find in them little that is professedly scriptural,—and more, harsh expressions of unbelief in doctrines which most Christian churches consider as fundamental. We have read this volume with due allowance for Mr. Parker's theological views; it would be unfair to read it otherwise. And if so perused, we are convinced that the occasional phrases, which will no doubt be read with pain by the believer in less heterodox doctrines, will be viewed as of small account, compared with the eminently pious and Christian spirit of the book.

If the first of the following extracts, from the first sermon, be somewhat discordant with our notions of pulpit taste, the truth conveyed in it is indisputable.

“Now the mischief is, that, in matters of religion, men demand that he who has a mature and well-proportioned piety should always go back to the rude helps of his boyhood, to the A B C of religion and the nursery-books of piety. He is not bid to take his power of piety and apply that to the common works of life. The Newton of piety is sent back to the dame-school of religion, and told to keep counting his fingers, otherwise there is no health in him, and all piety is wiped out of his consciousness, and he hates God and God hates him. He must study the anicular lines on the school-dame's slate, not the diagrams of God writ on the heavens in points of fire. We are told that what once thus helped to form a religious character, must be continually resorted to, and become the permanent form thereof.

“This notion is exceedingly pernicious. It wastes the practical power of piety by directing it from its natural work; it keeps the steam-engine always fanning and blowing itself, perpetually firing itself up, while it turns no wheels but its own, and does no work but feed and fire itself. This constant firing up of one's self is looked on as the natural work and only form of piety. Ask any popular minister, in one of the predominant sects, for the man most marked for piety, and he will not show you the men with the power of business who do the work of life,—the upright mechanic, merchant, or farmer; not the men with the power of thought, of justice, or of love; not him whose whole life is one great act of fourfold piety. No, he will show you some men who are always dawdling over their souls, going back to the baby-jumpers and nursery-rhymes of their early days, and everlastingly coming to the church to fire themselves up, calling themselves ‘miserable offenders,’ and saying, ‘Save us, good Lord.’ If a man thinks himself a miserable offender, let him away with the offence, and be done with the complaint at once and for ever. It is dangerous to reiterate so sad a cry.”—Pp. 17, 18.

“The age requires a piety most eminent. What was religion enough for the time of the Patriarchs, or the Prophets, or the Apostles, or the Reformers, or the Puritans, is not enough for the heightened consciousness of mankind to-day. When the world thinks in lightning, it is not proportionate to pray in lead. The old theologies, the philosophies of religion of ancient time, will not suffice us now. We want a religion of the intellect, of the conscience, of the affections, of the soul,—the

natural religion of all the faculties of man. The form also must be natural and new.

"We want this natural piety in the form of normal human life,—morality, philanthropy. Piety is not to forsake, but possess the world; not to become incarnate in a nun and a monk, but in women and in men. Here are the duties of life to be done. You are to do them, do them religiously, consciously obedient to the law of God, not atheistically, loving only your selfish gain. Here are the sins of trade to be corrected. You are to show that a good merchant, mechanic, farmer, doctor, lawyer, is a real saint, a saint at work. Here are the errors of philosophy, theology, politics, to be made way with. It is the function of piety to abolish these and supply their place with new truths all radiant of God. Here are the great evils of church and state, of social and domestic life, wrongs to be righted, evils to be outgrown: it is the business of piety to mend all this. Ours is no age when Religion can forsake the broad way of life. In the public street must she journey on, open her shop in the crowded square, and teach men by deeds, her life more eloquent than her lips. Hers is not now the voice that is to cry in the wilderness, but in the public haunts of men must she call them to make straight their ways."—Pp. 27, 28.

The subjoined extracts from No. IX. are excellent examples of that plain-spoken energy, often most effective in practical exhortation. In subject they form a fitting pendant to the passages just quoted.

"The real test of religion is its natural sacrament,—is life. To know whom you worship, let me see you in your shop, let me overhear you in your trade; let me know how you rent your houses, how you get your money, how you keep it, or how it is spent. It is easy to pass the Sunday idle, idly lounging in the twilight of idle words, or basking in the sunshine of some strong man's most earnest speech. It is easy to repeat the words of David, or of Jesus, and to call it prayer. But the sacramental test of your religion is not your Sunday idly spent, not the words of David or of Jesus that you repeat; it is your week-day life, your works, and not your words. Tried by this natural test, the Americans are a heathen people, not religious; far, far from that. Compare us with the Chinese by the artificial standard of the missionary, we are immensely above them; by the natural sacrament of obedience to the law of God, how much is the Christian before the heathen man?

"The national test of religion is the nation's justice,—justice to other states abroad, the strong, the weak, and justice to all sorts of men at home. The law-book is the nation's creed; the newspapers chant the actual liturgy and service of the day. What avails it that the priest calls us 'Christian,' while the newspapers and the Congress prove us infidel? The social sacrament of religion is justice to all about you in society,—is honesty in trade and work, is friendship and philanthropy; the religious strong must help the weak. The ecclesiastical sacrament of a church must be its effort to promote piety and goodness in its own members first, and then to spread it round the world. Care for the bodies and the souls of men, that is the real sacrament and ordinance of religion for society, the Church and State.

"For the individual man, for you and me, there are two great natural

sacraments. One is inward and not directly seen, save by the eye of God and by your own,—the continual effort, the great life-long act of prayer to be a man, with a man's body and a man's spirit, doing a man's duties, having a man's rights, and thereby enjoying the welfare of a man. That is one,—the internal ordinance of religion. The other is like it,—the earnest attempt to embody this in outward life, to make the manly act of prayer a manly act of practice too. These are the only sacraments for the only worship of the only God. Let me undervalue no means of growth, no hope of glory; these are the ends of growth, the glory which men hope."—Pp. 328, 329.

"There is but one religion, natural and revealed by nature,—by outward nature poorly and in hints, but by man's inward spirit copiously and at large. It is piety in your prayer; in your practice it is morality. But try the nations, society, the Church, persons, by this sacramental test, and what a spectacle we are! For the religion of the state, study the ends and actions of the state; study the religion of the Church by the doctrines and the practice of the Church; the religion of society,—read it in the great cities of the land. 'Thy kingdom come, Thy will be done,' prays the minister. Listen to the 'Amen' of the courts and the market, responding all the week! The actual religion of mankind is always summed up in the most conspicuous men. Is that religion Christian? Spirit of the Crucified! how we take thy honoured name in vain! Yet we did not mean to be led astray: the nations did not mean it; the cities meant it not; the churches prayed for better things; the chief men stumbled and fell. We have altogether mistaken the ordinance of religion, and must mend that.

"The New England Indian insisted upon his poor, hungry sacrament; so did the barbarian German; so the Jew, the Catholic, the Protestant; and each sectarian has his Shibboleth of ritual and creed. How poor and puerile are all these things! How puerile and poor the idea of God asking such trifles of mortal man! We shall never mend matters till we take the real religious sacrament, scorning to be deluded longer by such idle shows.

"Now it has come to such a pass, that men wish to limit all religion to their artificial sacraments. The natural ordinance of human piety must not be even commended in the church. You must not apply religion to politics; it makes men mad. There is no law of God above the written laws of men. You must not apply it to trade: business is business; religion is religion. Business has the week for his time, the world for his market-place; Religion has her Sunday and her meeting-house; let each pursue his own affairs. So the minister must not expose the sins of trade nor the sins of politics. Then, too, public opinion must be equally free from the incursions of piety. 'O Religion!' say men, 'be busy with thy sacramental creeds, thy sacramental rites, thy crumb of bread, thy sip of wine, thy thimbleful of water sprinkled on a baby's face, but leave the state, the market, and all men, to serve the Devil, and be lost.' 'Very well,' says the priest, 'I accept the condition. Come and take our blessed religion!'"—Pp. 330, 331.

How beautiful, in a very different style, are the following paragraphs,—one on the idealizing power exercised by religion on daily life; the other on the growth of the affections.

"The thought that God sees us, knows us, loves us, idealizes the life of all religious men. How it blunts the edge of pain, takes away the sting of disappointment, abates the bitterness of many a sorrowful cup that we are called to drink. If you are sure of God, is there anything which you cannot bear? The belief in immortality is so intimately connected with the development of religion, that no nation ever doubted of eternal life. How that idealizes and embellishes all our daily doing and suffering! What a power is there that hangs over me, within a day's march perhaps, nay, within an easy walk, of an hour, or a minute it may be, certainly not far off, its gates wide open night and day! The weary soul flees thither right often. Poor, weary, worn-out millions, it is your heaven! No king can shut you out. The tyrants, shooting their victim's body, shoot his soul into the commonwealth of heaven. The martyr knows it, and laughs at the bullets which make an involuntary subject of despotism an immortal republican, giving him citizenship in the democracy of everlasting life. There the slave is free from his master; the weary is at rest; the needy has no want of bread; all tears are wiped from every eye; justice is done; souls dear to ours are in our arms once more; the distractions of life are all over; no injustice, no sorrow, no fear. That is the great comfort with the mass of mankind,—the most powerful talisman which enchants them of their weary love. Men sing Anacreontic odes, amid wine and women, and all the voluptuousness of art, buying a transient jollity of the flesh; but the Methodist finds poetry in his mystic hymn to take away the grief of a wound and leave no poison in its place. The rudest Christian, with a real faith in immortal life, has a means of adorning the world which puts to shame the poor finery of Nicholas and Nebuchadnezzar. What are the prizes of wealth, of fame, of genius, nay, of affection, compared with what we all anticipate ere long? The worst man that ever lived may find delight overmastering terror here. 'I am wicked,' he may say; 'God knows how I became so; his infinite love will one day save me out of my bitterness and my woe!' I once knew a man tormented with a partner, cruel and hard-hearted, ingenious only to afflict. In the midst of her torment he delighted to think of the goodness of God, and of the delights of heaven, and in the pauses of her tongue dropped to a heaven of lovely dreams unsullied by any memory of evil words."—Pp. 151—153.

"In every man who lives a true life the affections grow continually. He began with his mother and his nurse, and journeyed ever on, pitching his tent each night a day's march nearer God. His own children helped him to love others yet more; his children's children carried the old man's heart quite out beyond the bounds of kin and country, and taught him to love mankind. He grows old in learning to love, and now, when age sets the silver diadem upon his brow, not only is his love of truth and justice greater than before,—not only does he love his wife better than in his hour of prime, when manly instinct added passion to his heart,—not only does he love his children more than in their infancy, when the fatherly instinct first began its work,—not only has he more spontaneous love for his grandchildren than he felt for his first new-born babe,—but his mature affection travels beyond his wife, and child, and children's child, to the whole family of men, mourns in their grief, and joys in their delight. All his powers have been greatened in

his long, industrious, and normal life, and so his power of love has continually enlarged. The human objects do not wholly satisfy his heart's desire. The ideal of love is nowhere actual in the world of men, no finite person fills up the hungry heart, so he turns to the Infinite Object of affection, his heart turns to the affection of the great Mother of mankind; and in the sentiment of love he and his God are one. God's thought in his mind, God's justice in his conscience, God's love in his heart,—why should not he be blessed?"—Pp. 124, 125.

The next of our quotations proves that, among other qualifications for the pulpit orator, Mr. Parker possesses an observant eye for the facts of nature.

"Look over the bountiful distribution of joy in the world. It abounds in the lower walks of creation. The young fish, you shall even now find on the shallow beaches of some sheltered Atlantic bay, how happy they are! Voiceless, dwelling in the cold, unsocial element of water, moving with the flapping of the sea, and never still amid the ocean waves' immeasurable laugh,—how delighted are these little children of God! Their life seems one continuous holiday, the shoal waters a playground. Their food is plenteous as the water itself. Society is abundant, and of the most unimpeachable respectability. They have their little child's games which last all day. No one is hungry, ill-mannered, ill-dressed, dyspeptic, love-lorn, or melancholy. They fear no hell. These cold, white-fleshed, and bloodless little atomies seem ever full of joy as they can hold; wise without study, learned enough without book or school, and well cared for amid their own neglect. They recollect no past, they provide for no future, the great God of the ocean their only memory or forethought. These little, short-lived minnows are to me a sermon eloquent; they are a psalm to God, above the loftiest hymnings of Theban Pindar, or of the Hebrew king.

"On the land, see the joy of the insects just now coming into life. The new-born butterfly, who begins his summer life to-day, how joyous he is in his claret-coloured robe, so daintily set off with a silver edge! No Pharisee, enlarging the borders of his garments, getting greetings in the markets and the uppermost seat at feasts, and called of men 'Rabbi,' is ever so brimful of glee as our little silver-bordered fly. He has a low seat in the universe, for he is only a butterfly; but to him it is good as the uppermost; and in the sunny, sheltered spots in the woods, with brown leaves about him, and the promise of violets and five-fingers by and by, the great sun gently greets him, and the dear God continually says to this son of a worm, 'Come up higher!'

"The adventurous birds that have just come to visit us, how delighted they are, and of a bright morning how they tell their joy! each robin and blackbird waking, not with a dry mouth and a parched tongue, but with a bosom full of morning psalms to gladden the day with 'their sweet jargoning.' What a cheap luxury they pick up in the fields; and in a clear sunrise and a warm sky find a delight which makes the pomp of Nebuchadnezzar seem ridiculous!

"Even the reptiles, the cold snake, the bunchy and calumniated toad, the frog, now newly wakened from his hybernating sleep, have a joy in their existence which is complete and seems perfect. How that long symbol of 'the old enemy' basks delighted in the sun! In the idle days

which I once had, I have seen, as I thought, the gospel of God's love written in the life of this reptile, for whom Christians have such a mythological hatred, but whom the good God blesses with a new, shining skin every year,—written more clearly than even Nazarene Jesus could tell the tale. No wonder! it was the dear God who wrote His gospel in that scroll. How joyously the frogs welcome in the spring, which knocks at the icy door of their dwelling, and rouses them to new life! What delight have they in their thin, piping notes at this time, and in the hoarse thunders wherewith they will shake the bog in weeks to come; in their wooing and their marriage-song!"—Pp. 209—211.

And here, finally, is a passage on the love of truth, which we can easily imagine, from our knowledge of his writings, came from the very bottom of the author's soul. However we may differ in many weighty points from its results, a theology animated by such a spirit as this, cannot but play an honest and a useful part on the theatre of speculation.

"According to his nature man loves truth with a pure and disinterested love, the strongest intellectual affection. The healthy eye does not more naturally turn to the light, than the honest mind turns towards the truth. See how we seek after it in nature. All the National Academies, Institutes, and Royal Societies are but so many companies organized for the pursuit of truth,—of truth chiefly in some outward form, materialized in the visible world. These societies propose no corporeal benefit to themselves, none to the human race. They love each truth of nature for its own fair sake. What is the pecuniary value of the satellites of Neptune to us? See how laborious naturalists ransack the globe to learn the truths writ in its element. One goes to Florida to look after some bones of a mastodon, hid in a bog some thousands of years ago; another curiously collects chips of stone from all the ledges of the world, lives and moves and has his being in the infra-carboniferous sandstones and shales, a companion of fossil plants and fossil shells. This crosses land and ocean to study the herbage of the earth; that, careless of ease and homefelt joys, devotes his life to mosses and lichens, which grow unheeded on the rocks; he loves them as if they were his own children, yet they return no corresponding smile, nor can he eat and drink of them. How the astronomer loves to learn the truth of the stars, which will not light his fire nor fill his children's hungry mouths! No Inquisition can stop Galileo in his starry quest. I have known a miser who loved money above all things; for this, would sacrifice reason, conscience, and religion, and break affection's bond; but it was the use of money that was loved, with a mean and most ignoble selfish lust, vulgarizing and depraving the man. The true disciple of science loves truth far more, with a disinterested love; will endure toil, privation, and self-denial, and encounter suffering, for that. This love of truth will bless the lover all his days; yet, when he brings her home, his fair-faced bride, she comes empty-handed to his door, herself her only dower." Pp. 36, 37.

CHRISTIAN DEVELOPMENTS.*

MR. GORDON has undertaken in these Lectures a great subject, and he has grappled with its difficulties with remarkable success. The delivery of the Lectures at Coventry, Kenilworth and Birmingham last year, was in each case attended with an amount of popularity not often in this country accorded to an Unitarian minister; and it was, we trust, only the prelude to the attention and respect they will now receive, in their collected and printed form, from a wider public.

The task of the ecclesiastical historian and philosopher is difficult, even when he treats of the opinions and the conflicts of a bygone age. The *odium theologicum* insensibly infuses itself into questions which, though apparently enjoying the repose of centuries, involve principles respecting which sects are yet in strife. But still more arduous is the task of one who ventures to describe the characteristics of existing religious parties, especially if he himself hold strong convictions on doctrinal and ecclesiastical topics. He is both judge and advocate; and unless his love of truth and fair-dealing be stronger than his individual predilections, he will not always judge righteous judgment. He must study his subject with a discriminating eye, separating the accidental from the essential. To know what the religious parties of a country are, and to forecast what they are likely to become, he must be accurately informed of their past history, including the biographies of their eminent men, and the persecutions and the controversies through which they have passed.

Great as were the requirements of his subject, Mr. Gordon has supplied them in full measure, and the result is a volume which, though not of bulky proportions, contains an instructive, just and striking description of the religious developments of England. Credit is given to each of the sects passed in review for its good qualities; and if the Churchman, the Congregationalist or the Methodist wince at the expression of censure, he cannot but admit that the praise required by justice has been awarded to the admitted virtues of his denomination.

The first lecture treats of the Church of England, and but for the compression of his matter and a careful selection of his topics, Mr. Gordon might have occupied an entire volume with this one theme. A course of lectures upon it, written in the spirit of this introductory lecture, would supply a want to our Nonconformist literature. How little he approaches his work in a mere iconoclastic spirit, let these beautiful passages shew :

* Christian Developments : a Course of Lectures on the Church of England, the Church of Rome, Congregationalism, Methodism, Unitarianism, Indifferentism, with a Supplementary Lecture on the Principles of a Christian Belief. By John Gordon. Pp. 252. London—Whitfield.

"In this Fatherland of ours, no sight is more beautiful than that of a village church. When one sees it on some bright summer's Sunday morning, reflecting from its surface the many-coloured tints of Time, and glittering at the spiral point with which it indicates Eternity, it seems to stand out from all other objects, as fitted, by its material form in addition to its moral use, to hail the Sabbath's sun. Its associations are still more impressive than is its outward beauty. There it has stood through long periods of our history; and it now exhibits in its different architectural styles the operations of successive generations of people. Take your station in its porch while the service is proceeding, and, as, at once, your ear drinks in the choral harmony of the worshipping throng, and your eye travels over the field of graves where former worshipers repose, you appear to occupy a spot at which both worlds meet; and of the echo of religious feeling which then vibrates within the heart, you may justly say,

'The dead and living swell the sound.'

"It is a national interest that thus reveals itself to our imagination; and we cannot help extending to such a place the sympathy that specially and strongly unites it with the collection of English homes among which it lifts its head."—Pp. 1, 2.

"I confess to much lingering love for this Church, which I should, perhaps, find it difficult to reduce to principle. I have a half-patriotic feeling in its favour, which does not always square with the severity of my Nonconformist logic; and there are men who have adorned its history, whose names never occur to me without occasioning a gush of admiration and delight. To be sure, on reading such a book as Laud's Diary, one thinks, that views so small and pretensions so great, could scarcely have met except within the pale of this institution; but when enchained by Walton's Lives,—that book of which Wordsworth has well said,

'The feather whence the pen
Was shaped, that traced the lives of these good men,
Dropped from an angel's wing,'—

one is disposed to conclude that the institution itself had, after all, something to do in producing the peculiar forms of goodness there displayed. That goodness, though it never succeeds in stirring the blood, never fails to sweeten it. I will add, too, that though Southey's Book of the Church be of the nature of a romance, no other Church besides this would afford materials for a romance of its specific beauty."—Pp. 29, 30.

Our author, while he denies the reality of the national character claimed for the Church of England, emphatically awards to it the character of *a Christian institution*. "It is based upon a recognition of Christian truth, and directed to the promotion of Christian designs." Its characteristics upon which Mr. Gordon chiefly dwells, are its aristocratic polity, the doctrinal compromises of its theology, its exclusive pretensions, the scholarship of its clergy, and especially its establishment as the State religion. The spirit of ecclesiastical pretension in the Church of England is in part counteracted by a growing spirit of rationalism also to be found in the Church. According as the former or the latter

shall prevail, will in all probability be the prosperity or decline of the Established Church. If clerical counsels predominate, and semi-popish ceremonies are permitted to mar the decorous and solemn beauty of the national worship, a struggle impends in which the clergy and their aristocratic adherents will be ranged on one side, and the mass of the people, including nearly the whole of the middle ranks, on the other. Of such a struggle the result can scarcely be doubtful. The history of England exhibits a long succession of such contests, from each of which the clergy have retired worsted—sadder, but, strange to say, not often wiser men. The laity are progressively tolerant and liberal; the clergy, not merely in the seclusion from English social life in the Universities, but in more than half the towns and villages of England, are hastening back to the miserably narrow notions and exclusive practices of their class in Queen Anne's reign. A Church in which the laity and the clergy are thus becoming more widely separated in sentiment and action, cannot but be in danger. On this ground, we concede to Mr. Gordon the probability of his anticipation being realized, of the dissolution of the connection of Church and State. He regards this State connection as the markedly distinctive principle of the Church of England, and he shews how it has wrought both good and evil—evil in checking the purely spiritual character of the Church, good in modifying the narrowly dogmatic spirit imported into it by its articles and creeds. Speaking of the dependant condition on the State of the Church of England, he observes,—

“That it gives way to the spiritual forces brought, in the course of Divine Providence, to bear upon it, and that it permits a wide diversity of belief within its pale,—these are things which a philosopher justly esteems as better than dogmatic fixedness, and which an enlightened Christian avails himself of in proportion to his light.

“I go a step farther yet. The Church of England has, indirectly and unconsciously, conferred a great service upon the general religion of our country by that varied manifestation of the religious principle, which has distinguished it. Its own passive character has, in this regard, afforded the means of a larger administration than might otherwise have existed, and supplied the occasion for a freer cultivation of the spiritual department of human welfare. It has, inadvertently but really, counteracted much of the bigotry prevalent among other religious sects, and is justly looked upon as a shelter from the interference with personal liberty of which so many of those sects are guilty.”—Pp. 20, 21.

The second lecture discusses the principle of authority in religion, taking as its text the Church of Rome. The catalogue of crimes committed by this Church against the intelligence and happiness of mankind, is long and dark; and as one reads Mr. Gordon's exposition of them, the thought is painfully oppressive that more than half the Christian world is under the iron yoke of Rome.

The impudent defence of persecution by Catholics on the ground of moral consistency, is thus stated and pithily exposed :

“ You Protestants adopt the principle of religious liberty, and therefore it is consistent on your part to tolerate us ; but we disclaim all sympathy with that principle, and therefore it is equally consistent on our part to restrain and punish you.—That is the doctrine, delivered with a virtuous air, to which we are asked, as a matter of course, to assent. One is struck dumb with astonishment at the impudence of the plea. What ! and is it expected we should assume that there is no moral difference between liberty and persecution ; or should concede to consistency in wrong the same merit that we claim for consistency in right ? God forbid ! When we can find breath to do so, we reply,—as we would to the thief who should have the audacity to tell us how the consistency of his loose principles with his dishonest conduct ought to vindicate his peculation,—that the want of shame, instead of being an excuse for sin, is always among its worst aggravations.”—P. 49.

Casting back our view on the long agitation that preceded in this country the concession of the Catholic claims, and remembering, as we well do, the many noble assertions of the principles of religious liberty from Catholic as well as Protestant advocates, and contrasting the language then common with that which from the press (if not in Parliament) Catholic leaders are not ashamed to publish, we cannot but lament the uncertain progress of right opinion, and admit the terrible power of an organized intolerance like that of the Church of Rome in checking liberal principles. But next to extirpating Protestantism, the worst triumph which the Church of Rome can achieve, will be to provoke Protestants, in a spirit of retaliation, to imitate and adopt her persecuting principles. Let us shew our invariable superiority by vindicating the rights of conscience, even of men who themselves care not for the consciences of others. Themselves deserving nothing at our hands, let us be prepared to defend their proper rights against the not unnatural consequences of their own spirit of aggression and violence. The concluding portion of the lecture shews how, in individual cases, the evils of the Papal system give way to the personal advantages that may be connected with it. It is consolatory to reflect with Mr. Gordon that many Catholics “ pass a contented, religious life, without at all personally participating in any of the guilt of the system they have adopted.”

The third lecture, on Congregationalism, gives a well-executed historical sketch of the rise and growth of Independency. Incidentally to his sketch of Dr. John Owen, Mr. Gordon pays a passing tribute of admiration to Rev. J. J. Tayler’s “ *Retrospect of the Religious Life of England.*”* The description of the influences of the quarter of a century’s persecution that followed the Restoration, in melting down in its fiery furnace many of the

* We are happy to learn that Mr. Tayler is preparing for the press a new edition, revised and improved, of this sterling book.

distinctions between the Presbyterians and Independents, is exceedingly well done. The name survived, but the discipline was at an end.

“Their Congregationalism differed from that of the Independents in these two respects: that they rejected all creeds and articles of faith additional to the Scriptures; and refused to constitute a Church in separation from the worshipping society. This more liberal and, as I believe, more Christian organization, produced, in the course of time, changes of doctrine which the organization of Independency did not permit; and thus a Theological distinction, which gradually became more and more decided, stepped into the place of the former ecclesiastical distinction. This line of doctrinal demarcation has ever since circumscribed the two bodies. Had not such a line existed, they would, in all probability, have been before this united with each other.”—Pp. 77, 78.

Although, like Mr. Tayler, Mr. Gordon pays a large and willing testimony to the denominational virtues of the Independents, he warns them of the danger to which their recent passion for organization and for ostentatious union exposes them, of doing violence to the spirit of their Independent principles. We agree with our author that Congregationalism is more true to itself in its independent than in its amalgamated shape. In respect to theology, our author tells the Congregationalists that they can no longer keep together the compact Calvinistic system of their forefathers, and that they can only be true to their own principles, in the latitudinarianism which has sprung up in their body, by “the concession of greater liberty in the formation of theological opinion, than orthodox Congregationalism has hitherto granted.” He warns them that it is impossible for them to have at the same time “a definite, settled creed,” and to cultivate “free and unrestrained inquiry.” He tells them that they may advantageously imitate the scholarship and literary taste of the clergy, and the ministers of the Methodist body in their appeal to religious emotion. He rebukes them with force and dignity for their practical refusal of the Christian name to their Unitarian neighbours, and, in conclusion, exhorts them in their preaching to adapt their exposition of the gospel of Christ to the hearts and the actual wants of the present generation.

The lecture on Methodism is profoundly interesting. Its delineation of Mr. Wesley's character is bold in outline and rich in colouring:

“Enthusiastic, but not fanatical; easily deceived, but incapable of being perverted to wrong; cheerful, though an ascetic; ever happy, amid the sorest trials; familiar, without compromising his dignity; intelligible to the poorest of men, and yet on a level with the most cultivated; always fresh, though always employed in reiteration; a strict disciplinarian, with a warm and merciful heart; exclusive in opinion, but still candid and charitable in judgment;* quick in feeling,

* “A finer instance of liberality of judgment could scarcely be adduced than
x 2

but patient of insult; possessing at once a soldier's courage and a woman's tenderness; an object of the most bitter hatred, and the most devoted attachment; well versed in worldly affairs, and yet living as in heaven; fighting for every inch of ground with an opponent, but never neglecting to help forward any scheme of benevolence; pursuing an undeviating course, amid the most anxious cares and the most multiplied occupations, with no thought of personal indulgence, or temporal gain, or jealous emulation;—such was the man whom that record reveals to us; and it reveals him with a fidelity under whose influence we seem to see the bright eye looking out from the page, and to feel the ardent soul breathing beneath it.”—Pp. 105, 106.

The fifth lecture, on Unitarianism, occupying trite ground, contains much that is original in thought and striking in illustration. Mr. Gordon, speaking of the distinctive character of Unitarianism, says that in its general acceptation and operation it is rather *a theological influence than a settled creed*. (P. 138.) He does not mean by this that Unitarianism has no established doctrinal basis, but the contrary. It does not discard or undervalue doctrinal truth, but it presents it with freedom and in a great variety of forms. (See p. 141.) Mr. Gordon remarks on the numerous and different occasions on which Unitarianism has appeared in the Christian church. Whether this idea be illustrated from ecclesiastical history or modern experience, it is very remarkable. There has scarcely existed a sect which has not in some of its doctrines, or at least of its illustrious members, given support to some portion of the Unitarian system of faith. There once sat on the chair of St. Peter an Unitarian Pope. The Church of England has had bishops and dignitaries at various periods of her history, who have incurred the odium of leaning towards the Socinian heresy. Besides all this, clergymen are perpetually encountering, in their pastoral intercourse with their flocks, Unitarian doubts and difficulties. But for this inconvenient fact, they would care little for the existence and opinions of a sect numerically insignificant as the Unitarians are. In illustration of the varieties of administration of which Unitarianism is capable, Mr. Gordon contrasts with delicate precision the characteristics of Priestley and Channing:

“Dr. Priestley's may be described as specifically a theological movement, and Dr. Channing's may be set forth in as specifically a religious view. Dr. Priestley was the great champion of a controversy; Dr. Channing brought the results of that controversy to bear upon a distinct form of spiritual cultivation. It was Belief, and its effects upon the

that which is contained in the following Preface to a Life of Mr. Firmin, which appeared in the *Arminian Magazine*:

“I was exceedingly struck at reading the following Life, having long settled it in my mind that the entertaining wrong notions concerning the Trinity was inconsistent with real piety. But I cannot argue against matter of fact. I dare not deny that Mr. Firmin was a pious man; although his notions of the Trinity were quite erroneous. JOHN WESLEY.—Wesley's Works, Vol. XIV. p. 307.”

reason, with which Dr. Priestley had to do; but Dr. Channing directed his efforts to the deeper effects which substantially the same belief was adapted to have upon Feeling.

"Let me here say, that I honour these men with quite an equal honour, though I have a more entire agreement with the one than with the other.

"Priestley did his work as faithfully and effectively as Channing did. A truer, purer, nobler man of his class never existed. A man of stronger Christian attachments, and more extensive moral sympathies, never existed. His character was as illustrious as his talents and acquirements were. His life was one continued watch over the best interests of humanity; and he spared no pains, and remitted no diligence, in forwarding those interests by the use of every instrumentality given to him. He carried out, in his own person, all that commended itself to his thought as right and good. The chief peculiarity of his mental constitution, was the force of its rational element. He was, by virtue of that superior force, an unimpassioned man; and he never allowed enough, in any of his investigations and speculations, for that passionate element of human nature which was, in himself, under the completest control. Calm, steady, contented and happy as he was, his temperament permitted him, under the most trying circumstances, to remain unmoved; but that temperament brought it to pass, that his opinions were too exclusively intellectual, and his conduct too exclusively moral. Christianity stood toward him only in its intellectual and moral relations; and it assumed, in his exposition of it, a strictly utilitarian form. It cannot be justly said that he put Reason in the place of Revelation. He did nothing of the kind. He was a Scripturalist of the most decided cast. Few men have adhered more tenaciously than he did, to the bare letter of the Scriptures, as he was led to interpret them. Channing was much less Scriptural—that is, much less occupied in the use to be made of Scripture—than he was.

"Channing was, however, a man of wider philosophical views and deeper religious feelings. He had the heart, as well as the tongue, of an orator. The spiritual emotions which constitute the forces of human nature, stirred within his soul, not as the wind disturbs the surface of the sea, but as the tide upheaves its bosom. He spoke from an inward nature profoundly moved; and therefore what he proclaimed, reached the inmost being of those to whom it was addressed. His topics were few, and he constantly repeated himself in their enforcement; but his was like that great ocean voice which never tires in the utterance of its monotonous sublimity."—Pp. 147—150.

In broad distinction from some modern writers and preachers, Mr. Gordon asserts the great and pressing importance of the Unitarian controversy,—not merely on account of its bearings on religious liberty, but also and especially on account of its being one of the two principal forms into which the development of Christianity is divided, and because it is the great bulwark of Christianity itself. So long as Unitarian writers take their station on historical Christianity, they occupy an impregnable position, and one of no little importance in the defence of the Christianity common to all the sects. When they abandon this

position to betake themselves to mystical intuitions, however satisfactory their opinions may be to themselves individually, they have no more value to the Christian church at large, than the dreams of Jacob Boehmen or the amiable mysticism of Madame Guyon. Hitherto, however, Unitarian churches have exercised a large and wholesome influence on other bodies. With an extract recording Mr. Gordon's view of the liberalizing influence of Unitarianism, we must close our very imperfect notice of his interesting Lectures, which we hope will attain a wide circulation in "orthodox" as well as Unitarian circles. A more desirable book for a religious inquirer, to whatever class of theologians he may belong, we cannot name.

"I have been long convinced that the great use of Unitarian churches among us is to be seen, not so much in what they do in their own immediate circles, as in what they indirectly do toward upholding and encouraging the efforts for a more independent Christianity, which prevail in circles whence, for the present, their members are excluded. I see around me on every hand a shaking off of trammels, and a renunciation of superstitions; a breaking forth of light, and a plucking up of courage; from which I augur a coming time when my faith will have more justice done to it than it has, if it be not more honoured than it is. I do not doubt that, if every Unitarian congregation in England were to be dissolved to-morrow, the theological influence which those congregations conserve would still spread through Christian society; for civilization concurs with a more generous exposition of the gospel to bring about a condition of things, in which all that contradicts the reason of man, and all that opposes his moral feelings, shall find no place in his religious creed, and the one God, through Christ, shall, as the simply, and entirely, and universally merciful Father, be worshiped and served alone."—Pp. 173, 174.

EDUCATION FOR THE MINISTRY.

SIR,

WHILE agreeing with much of Mr. Field's important and able paper offered to the readers of the Reformer in your last No., I differ from him on a point of such serious importance, that I must ask leave to state the grounds of my dissent.

It is quite true that a gratuitous education for the ministry may tempt some persons into it, who had far better earn their livelihood even by the worst-paid drudgery that would keep body and soul together. I am quite sure that no calling should be followed with a profounder sense of responsibility, and more decided qualifications for it, than the Christian ministry. But it is equally certain that the want of an opportunity for obtaining gratuitous education, might keep some persons out of the ministry who are eminently fitted for it. Mr. Field surely does not mean to imply that none but young men of independent resources can be suitable candidates for that office? I should be very sorry to think that idea was included in his expression, "young men of inferior breed."

If this were his meaning, it would be so utterly opposed both to facts and to the spirit of Christianity, that it would require indignant refutation. But I cannot suppose he believes that earnestness, piety, benevolence, imagination and argumentative power, with the necessary physical qualifications, are to be found only in that class which can afford a son £100 a-year for five or six sessions. But, even should he reject such a notion as equally unworthy and untrue, it is evident that, practically, he is proposing to restrict our choice of ministers within the narrow limits above mentioned, if he would refuse to provide gratuitous education for those who need it and seem likely to make good use of it. Now, there can be no doubt that our Lord uttered a very solemn truth—true in all climes and ages—when he said, “How hardly shall they that have riches enter into the kingdom of God!” And if it be hard for the parents, so is it for the children; harder still for parent to promote or child to desire an entrance for the latter upon the Christian ministry. Alas for our church, when its ministry is to be undertaken only by the sons of the wealthy!

Mr. Field will remember that there is no good without its attendant evil, and a gratuitous education for the ministry I have admitted is no exception to this rule. But true wisdom, I think, teaches us that we are not to reject the good on account of the evil, unless the former be trifling and the latter preponderant, but rather endeavour to reduce the evil and increase the good. I believe that with greater caution in the recommendation and admission of young men as students for the ministry, and especially with fuller inquiry as to their labours of Christian love and piety, previous to their seeking collegiate training, combined with greater demands upon them for such practical religious and philanthropic work during that training, few unfit candidates would be “tempted” to offer themselves. On the other hand, I have known several cases where very highly-qualified men would have been utterly unable to have devoted themselves to this their true and sacred calling, but for the means afforded them of gratuitous instruction and support.

It is a melancholy truth, and Mr. Field deserves thanks for courageously dwelling upon it, that young men will sometimes themselves wish, or be persuaded by relations, to become ministers, both among Dissenters and in the Establishment, not from that fervent, devoted piety and love of the work which alone can justify their undertaking it, but either because they do not seem likely to earn a livelihood in any other way, or because they are ambitious, indolent, or vain. Sometimes a gift of oratorical declamation, sometimes a desire to “become gentlemen,” sometimes a wish for literary ease and freedom from worldly cares or secular strife, have induced men to palter with their consciences on this solemn subject, and undertake duties which demand the entire consecration of one’s whole being and faculties in a spirit of self-abnegation and devotedness, and with laborious effort, such as no secular calling could demand and no earthly master expect. Multiply, then, to the utmost, safeguards against the entrance of such persons into the Christian ministry. They are the bane of that ministry—a scandal to the church—a great stumbling-block to the unconverted—and are, if possible, still greater enemies to themselves than to the cause of the Redeemer. But in excluding them, beware lest you discourage or prevent his humble devoted servants also from entering in.

No, there must be no property-qualification for ministers now, any more than when Barnabas sold his estate in Cyprus, or George Fox's Bible lay beside his lapstone and awl. In truth, while of course, *cæteris paribus*, good birth and breeding, refined tastes and social position, must be advantages in the ministry, as in any case where man has to influence man, I confess I should look far more hopefully for suitable candidates for the ministry among Sunday-school and Ragged-school teachers, and those who co-operate with ministers to the poor, or lay-preachers, no matter what their social position, than among Eton or Harrow "men," or even than among the students of University College. Not in Belgravia, or Portland Place, or Russell Square, would be the best chance of success on such a quest. If you *were* to find a youth in these quarters who gave himself heart and soul to Christian work, no doubt he would be a greater prize than if, equally pious and devoted, he had always lived in a very humble sphere. And I fervently trust that many such will be met with in the "better time coming." But it is not so now. And if the words of Holy Writ mean anything, there will always be more likelihood of finding the chief requisites for the ministry among those of whom our Lord said, "Blessed are ye poor, for yours is the kingdom of God."

One word as to the comparison Mr. Field makes between the ministers of a former generation and the young ministers of the present day, considerably to the disadvantage of the latter. I doubt both the justice and the wisdom of the comparison. It would be extremely difficult, if not utterly impossible, to make it fairly; and such sweeping charges always cause much undeserved annoyance, if not pain, without doing any good. So many circumstances would have to be considered and duly weighed against one another, before anything approaching to a correct decision could be arrived at. For instance, the young ministers of the present day might reply to Mr. Field's charge of their shining less in the walks of literature, sacred or secular, than their forefathers, that they are frequently to be found worthily upholding Literary and Mechanics' Institutes, by excellent Lectures, Classes, Readings, Essays, and so forth. But, after all, *cui bono* the comparison at all? It is quite sufficient to point out on the one hand, or rather to urge upon us, for the melancholy fact is manifest enough, that our church is not so flourishing as it ought to be,—that there are many congregations dragging out a sickly, useless, miserable existence; and to remind us on the other, that in proportion as we have earnest, evangelical, self-denying ministers, who can speak to the heart when in the pulpit, and work and "walk in love" when out of it, our church and the cause of Christ must prosper, bearing blessed fruit abundantly.

Yours truly,

HENRY SOLLY.

Southfields, Wandsworth, April 15, 1853.

PROCEEDINGS IN THE ROLLS COURT RESPECTING MANCHESTER NEW COLLEGE.

IN consequence of the resolution of a majority of the Trustees of the College, at a General Meeting held at Manchester, December 8, 1852, to remove the College to London, as a Theological institution, and to place it in connection with University College for Literary and Scientific purposes, Mr. William Rayner Wood felt it to be his duty, as a Trustee of the College estates, as well as a general Trustee of the institution, to apply to the Attorney-General for leave to file an information against the Special Committee to whom had been deputed the task of arranging the removal of the College to London. This application was resisted by the Trustees, on the ground that the mode of proceeding was of necessity costly and lingering, and less likely to settle the difficulties of the case than that on which they had determined, viz., by petition to the Master of the Rolls, in accordance with Sir Samuel Romilly's Act providing a summary remedy in cases of Charitable Trusts. It was argued before the Attorney-General, Feb. 1, 1853, Mr. Amphlett appearing on behalf of Mr. Wood, and Mr. James on behalf of the College Trustees. The Attorney-General thought the petition should be allowed to proceed, as the petitioners appeared to represent the wishes of the majority of the Trustees, but subject to payment of Mr. Wood's costs in preparing the information, and with full power to him to appear in opposition to the petition. A petition was accordingly presented to the Master of the Rolls, which, after an elaborate statement of the case, prayed his Honour to declare that it was fit and proper that Manchester New College should be established in London as a Theological institution for the education of young men designed for the ministry among Protestant Dissenters, and to be in connection with University College, London; and that the rents, interests and income of the Trust property ought to be paid, applied and disposed of by the Trustees as the Committee should direct; and, if necessary and proper, that a scheme might be approved of by the Court for the future regulation of the charity. The petition came on before the Court on Friday, Feb. 25. For the petitioners there appeared the Solicitor-General (specially retained) and Mr. James; Mr. Busk appeared for the Trustees of the College property, except Mr. Wood; Mr. Wickens represented the Attorney-General; and Mr. Roundell Palmer and Mr. Amphlett appeared for Mr. Wood.

On the opening of the proceedings, the MASTER OF THE ROLLS stated that he was not only a member of University College, but also one of the Council of that body,—that he took a deep interest in the success of that institution, on which the decision in this case might bear,—and that, except with the consent of both sides after their knowledge of the fact, he could not hear the case. Mr. AMPHLETT said, if hesitation were felt, it was on no personal ground, but because, if heard before his Honour, there was no appeal short of the House of Lords. Mr. ROUNDELL PALMER having in the mean time come into Court, waived all objection on the ground alluded to by his Honour, but stated that he should presently offer some objections to the propriety of proceeding at all in this case under Sir Samuel Romilly's Act.

The SOLICITOR-GENERAL proceeded to state the case of the petitioners, who, in consequence of a very different opinion from their own being held by one of the Trustees of the property, were compelled to seek from his Honour powers to do what they conscientiously believed was necessary for the benefit of the charity. It would be his object to shew that, from its earliest institution and throughout the whole of its history, the affairs of the College had been ruled by the decisions of a *majority* of the Trustees. There had been a succession of Academies for the education of the Nonconformist clergy from the passing of the Act of Uniformity to our own day. The denomination of English Presbyterians had particularly encouraged such Academies. In 1754, an Academy was formed by them at Warrington, the history and constitution

of which bore very directly upon the College afterwards established at Manchester. One great object was, to obtain such a supply of lay students as should diminish the expense of educating the divines. In the original proposals for Warrington Academy, it was stated that persons subscribing two guineas annually, or giving a benefaction of twenty guineas, should be Trustees, and should decide whether Warrington were a proper situation for a public Academy, and that every determination of the society should be by the consent of two-thirds of all the present and proxy votes. From the minutes of the proceedings of the Trustees (which in respect both to Warrington and Manchester had been kept with remarkable care and accuracy), it appeared that Warrington was selected as, for the time, the most convenient situation of the Academy; but in the resolution itself, this was described as "a temporary settlement." The Academy at Warrington, after appearing to flourish, fell into difficulties, and was discontinued in 1785. In 1786, Manchester College was established; it was, in fact, a transfer of the institution from Warrington. The College at Manchester got the Warrington library and a portion of the funds which remained. This change of locality in 1786, was made for the benefit of the institution. It was believed that at Manchester a good supply of lay students would be obtained. But the great reason for removing to Manchester was, that there were found two Presbyterian clergymen, Rev. Dr. Barnes and Rev. Ralph Harrison, of great learning and distinction, who were willing to undertake the conduct of the institution. At Manchester the College remained many years; but early in the present century it became entangled in difficulties, and in 1803 it was determined to remove it to the city of York, where it would have the advantage of being conducted by Rev. Charles Wellbeloved, a man of learning, and in high repute also as the minister of the Presbyterian congregation at York. Now it had a very important bearing on the question before his Honour, that when this decision to remove to York was taken, thirty-five of the original Trustees who assisted in the foundation of the College at Manchester survived, and on their part no difficulty was felt and no objection taken to the removal. From 1803 to 1839, the College continued, on the whole with great success, at York. Mr. Wellbeloved being then advanced in life and desirous to withdraw from his laborious duties, it was determined, by a majority of votes of the Trustees, to remove the College to Manchester. It came back, accordingly, to Manchester in 1840. But the anticipations of the Trustees who expected large advantages to the College, have not been realized. It has been for several years in a languishing condition. The number of lay students has greatly fallen off. The scale of the institution was found to be too costly for its resources. It had a large staff of lay Professors. The time for a change had evidently come. Who were to decide the nature of that change? Evidently those who were most interested in the welfare of the institution. The Trustees, in whom the directing power was lodged, had determined, by a considerable majority, that the College should be removed to London. The principal reasons which had brought them to that conclusion were—1st, that the lay students had dwindled down to an inconsiderable number; 2nd, that the maintenance of the staff of Literary and Scientific Professors cost the institution between £800 and £900,—a large sum, when it was remembered how few were the students to benefit by their instructions,—while at University College it was believed that the same advantages could be secured at a cost of about £200 per annum; 3rd, and chiefly, it was felt that by the continuance of the College at Manchester an entire separation would be made between the laymen and the divinity students; while at London, where the younger members of the English Presbyterian families were now principally receiving their education, that mixture of the two classes, which was felt to be desirable for both, would be effectually secured. Looking at the question in the light of the whole history of the institution, he thought his Honour would be relieved from the necessity of considering the mere expediency of the proposed change. The real question for decision was, whether or not, according to the original constitution and

the uniform practice of the College, it was essential that its affairs should be exclusively and in every respect conducted and managed by the Trustees. It exists subject to that one condition, viz., of being regulated by the will of the majority.

The MASTER OF THE ROLLS.—The will of the majority of Trustees.

The SOLICITOR-GENERAL.—Exactly so. The Trustees are of two classes, donors and annual subscribers, and number, in both divisions, 195. The number of subscribers, including these, is 280. From the affidavit of Mr. Robert Worthington, it appears that, on the 9th day of February last, a circular letter was addressed to all the Trustees, except Mr. Wood, inquiring, 1, whether they approved of the resolution, adopted Dec. 8, 1852, to remove the College, or at least acquiesced in the decision of the majority? or whether, 2, they approved of an opposition in the Court of Chancery? In reply, 141 out of the 195 signed their names approving of the resolution to remove the College to London, or acquiescing therein. Two others sent in special answers, but neither of them approved of the opposition in Chancery. One Trustee only (Mr. James Yates) expressed his approval of the opposition. The great interest and importance of the case made it necessary for him (the Solicitor-General) to go through a large portion of the petition, and to enforce his argument by a reference to the more important of its details. To whatever part of the history of the institution he turned, he found the Trustees, and they alone, were the governing body. It was so during the entire existence of the Academy at Warrington. In the circular of proposals in 1754, the Trustees were to judge whether Warrington were a proper situation. At the first meeting, in 1759, the Trustees determine on a temporary settlement at Warrington. In 1783, when the Academy was in difficulties, the Trustees are recognized as the sole judges of the best plan to be pursued. In 1784, it was resolved to consult "the Trustees throughout the kingdom." At the important meeting held Feb. 22, 1786, a resolution was passed expressing "the hope and confidence of every one present that the Trustees of the late Warrington Academy would approve the attempt to establish a Seminary of Learning similar in its objects and its plan to that which they have so long and so liberally patronized, and that they would grant a petition to be offered to them for the loan of the Library and Philosophical Apparatus, and for assistance out of the remaining funds."

The MASTER OF THE ROLLS.—What became of the Warrington funds?

Mr. R. PALMER.—They were divided between Hackney and Manchester.

The SOLICITOR-GENERAL.—It was so resolved, but no money was paid to Hackney; Warrington got all there was.—He then proceeded to adduce proofs that at Manchester, as at Warrington, the entire government rested in the Trustees. In them dwelt even the power of dissolution. In 1797, the question submitted to the Trustees was, whether the funds could be applied more advantageously in any other situation. In 1803, a Special Committee reported on the ineligibility of Birmingham, and the desirableness of securing the services of Mr. Wellbeloved at York. In the Address which was circulated on the removal to York, the Trustees used this language: "At the first institution of Manchester College, its friends were well aware that objections might be made to its being placed in a populous mercantile town. * * But these objections were overruled, partly by the consideration that most of its active supporters were resident in the neighbourhood, and partly by the facility which then occurred of obtaining two able tutors, who were co-pastors of a flourishing congregation in the town." As Dr. Barnes and Mr. Harrison had afforded the Warrington Trustees an escape from their difficulties in 1786, so Mr. Wellbeloved gave the same assistance to the College Trustees in 1803. After various other extracts from and comments on the petition, the Solicitor-General referred to the memorial presented by the Trustees, in 1840, to the Queen, which he characterized as "exceedingly important." It sought and obtained a connection with the London University. It was signed, amongst other Trustees, by Mr. W. R. Wood, and stated that "its funds were held in trust *for the sole purpose* of giving University learning to those who seek it, without test or confession of

faith." In that solemn instrument, no trace was to be found of the idea that the institution was local in its object, and that Manchester was its only legal abode. In referring to the later proceedings of the Trustees, he dwelt on the fact that the resolutions of Dec. 17, 1851, appointing a Special Committee "to consider the general position of the College," had been proposed and seconded by Mr. W. R. Wood himself, who at that time, at all events, saw no essential preliminary objection to connecting the College "with any other institution." But in naming Mr. Wood in connection with this proceeding, he wished it to be understood that it was not his intention to say one word to the disparagement of that gentleman, or to attribute to him any motive different from that which actuated his clients, viz., the desire to fulfil an important Trust in the best possible way. He was informed, indeed, that Mr. Wood's present views of his duty were materially influenced by an opinion in which, unfortunately, he had a share. Some time ago, a case, very imperfectly stated, was laid before Mr. Palmer and himself, and they had, on the scanty information supplied them, come to the opinion that the charity was clearly local in its foundation, and could not be legally removed from Manchester. He regretted exceedingly that that opinion had produced so lasting an effect on Mr. Wood's mind. He was now convinced that the opinion given by himself and his learned friend was quite erroneous; and he wished that the larger amount of information he now possessed on the subject, had been embodied in the case of 1848. (Mr. Palmer expressed his dissent from a portion of this statement.)

The SOLICITOR-GENERAL.—Mr. Palmer, it seems, does not think the case was delusive or the opinion erroneous. At all events, he (the Solicitor-General) must regret the circumstance to which he had referred. In consequence of the unhappy, but perfectly conscientious, objection of one Trustee, this charity would necessarily incur very considerable expense, and the disunion would become public. He believed that the course sought by the petitioners was the wisest and best which they could adopt. They had to fulfil a responsible trust. Their duty chiefly was, to select suitable persons from their religious community to whom they might advantageously give a gratuitous education that would fit them, afterwards, for the discharge of the Christian ministry. From the funds placed at their disposal they granted them exhibitions, to enable them to bear the necessary expense of College life at a distance from their homes. By the proposed abandonment of the lay Professorships, a large surplus would be set free for the maintenance of a larger number of divinity students. That the general objects of the College could be best effected in London, and in connection with University College, there could be no possibility of doubt. In point of fact, so strong was the case in all its parts, that he should not be unwilling that his Honour's judgment should be exercised on the expediency of the removal of the institution to London. But the real question before the Court, he apprehended, was, whether the Trustees had the power of administering their functions in accordance with their honest judgment as to the best means of securing the end contemplated in the foundation of the charity. He should conclude his argument by reciting the substance of the affidavits of a number of persons of great respectability and influence. Their testimony would enforce his argument, and shew that the leading aim of the founders of Manchester New College was to raise an academical institution for the benefit of the Presbyterian denomination throughout the whole of England, and that it was never for a moment imagined by them that they were establishing a mere local charity.—[The Solicitor-General occupied in his address two hours and three quarters. The above is, of course, a bare outline of it. The Affidavits and his comments upon them we have not noticed at all, proposing in our next No. to make an abstract of all the more important documents on both sides of the case.]

Mr. JAMES followed on the same side, very briefly drawing attention to the affidavits of Rev. Charles Wellbeloved, Rev. John Kenrick, Rev. J. J. Tayler, and arguing that, from the first, the institution had no character of locality

about it. There was nothing to shew that it was designed for the benefit of any particular locality. The object of the founders was that Manchester should benefit the institution, not that the institution should benefit Manchester. The founders looked to the place as one that would render them help in finding incomes for the Professors. From the first the institution was designed for the benefit of all Protestant Dissenters who rejected subscription to creeds, by training young men for the Christian ministry; and it was intended that they should be educated in conjunction with the laymen of the body. There never was any wish that the young men should be brought up in a monastic institution and after a monastic fashion. As a College, it had never succeeded at Manchester. It was an absolute waste of money to carry on the College in a town which furnished so poor a number of candidates for its instruction. To persevere in the present course would be to sacrifice the thing for a word, the spirit for the mere form. The Trustees were entitled to the prayer of their petition. They had the power, if they saw fit, to dissolve their College, or to modify it in any way that would promote its real interests. They believed that in London their College would secure the greatest amount of usefulness, and at the least cost; and on the principles on which charity trusts were administered, his Honour, he was convinced, would confirm the view of the petitioners.

Mr. BUSK said that he appeared on behalf of the Trustees in whom the College property was vested, except, of course, Mr. Wood.

The MASTER OF THE ROLLS.—Do all the Trustees appear?

Mr. BUSK said that he appeared for all the Trustees of the property, and that not one of them had a doubt as to the right of the majority of the Trustees to determine the question of removal. There were three considerations that disproved the *local* character asserted on behalf of this charity:—1, Its source; 2, the birthplaces of the young men educated in it for the ministry; 3, the places of the congregations in which they settled. The whole of England was the theatre of action; from the whole of England the required subscriptions were derived; from the whole of England these students came, and to the whole of England they went. That the general body of the Trustees had the power to settle where the College should be carried on, was clear from the whole history of the institution. The remains of the Warington funds were voted to Hackney as well as to Manchester. It was true, the little money that was left all went to Manchester, because long before any payment took place the Hackney College had ceased to exist. The removal of the College to York was virtually a dissolution of the establishment at Manchester. The actual places to which it was removed were not the only evidence that there was no tie of locality in the foundation to bind it indissolubly to Manchester. The various discussions that had at different times taken place amongst the Trustees, proved its freedom from restriction. An essential element of the founders' plan was to mingle in a common education laymen and divines. In Manchester this could not now be secured. At University College they would carry on their literary and scientific studies with members of various religious bodies, and they would be benefited by competition with a greater number of students. It had been asserted that similar benefits could be secured for the young men at Owens College, Manchester. This he must be permitted to question. The standard of learning was higher at University College than at Owens College. Looking at the question in a pecuniary point of view, a change was absolutely required. The subscriptions to the College funds had already seriously declined, and unless an immediate change was effected, there was every probability that they would still further fall off.

Mr. WICKENS represented the Attorney-General, and said, on his behalf, the only point on which he felt it necessary to express an opinion was, the expediency of a removal, in favour of which there seemed to be a balance of evidence. He had to express, for the Attorney-General, his view that the petitioners had made a strong case in favour of the expediency of the step they proposed taking.

Mr. ROUNDELL PALMER, in opposing the petition, on behalf of Mr. W. R. Wood, said it was a great mistake to suppose that there was amongst the Trustees of Manchester New College that unanimity of opinion in favour of a removal to London which the Solicitor-General had described. It had been represented as if all the Trustees but four accepted the change. But at the meeting of Trustees in December last, the majority was 33 against 17. It was true, of those seventeen only four remained at the end of the proceedings to enter their protest. With respect to the Circular, in reply to which the solicitor for the petitioners had received 141 favourable answers, it must be stated, that it contained two forms of assent blended in one answer. From the signatures, it did not appear whether the 141 Trustees assented or simply acquiesced. There was a natural indisposition to set up a minority against a majority. There was, however, very far from being an unanimity of feeling in favour of the removal of the College. Allusion had been made to the circumstance of Mr. Wood's having at one time entertained a different opinion on this question from his present opinion. It was true that his client did at one time think that the removal of the institution was right and proper. In an excellent affidavit which he had filed, he stated that, after having taken part in the unsuccessful attempt to remove the College from York to London, he had looked into the early history of the College, and had then come to the conclusion that the Trusts would not admit of its removal to London; and that, subsequently, his views of the expediency of the removal underwent a similar change; and that he now feels it to be a solemn duty to resist this petition. The petition was defective and wrong both as to its foundation and as to the objects sought. He (Mr. Palmer) looked upon it as one of an extraordinary nature; and which, if granted, might lead to other applications of a similar kind, of a very inconvenient and startling nature. On the same grounds, he saw no reason why his Honour might not be asked to grant a petition for the removal of some of the Colleges or Halls of Oxford and Cambridge from their ancient sites. What was the precise ground on which this petition was presented, and the Court was asked to grant its prayer? The Solicitor-General had appeared to put it on the ground that the majority had the right to decide the question and do what they pleased; and that any individual Trustee, opposed to the will of the majority, is powerless. It was argued as if the Court were by no means the fountain of authority, but the Trustees were in entire possession of it. But in reality, the Court had to decide in the matter of that petition between Trustees who took opposite views of the migratory nature of the charity. But before unlimited power could be given to the Trustees, it must be decided that it was not a local charity, but that it was in its principle migratory. But he had a preliminary objection to urge against the jurisdiction of the Court in this matter. In the case of the Royston school, Lord Cottenham had decided that there was no appeal from an order of the Master of the Rolls to the Lord Chancellor. Now, in a case of the importance of this petition, it was very desirable that the party defeated there should have the power of appeal to a Court of Chancery. He objected on that ground to the Master of the Rolls exercising jurisdiction.

THE MASTER OF THE ROLLS.—The effect would be, that this Court (the ROLLS) could never determine any important question under that Statute. The objection taken applied equally to cases in which the right to the relief sought was clear.

Mr. R. PALMER.—The objection lay to the form of proceeding by petition, not to proceeding by information. If an information were filed, the difficulty of there being no appeal was avoided. Mr. Palmer then proceeded to quote a variety of cases in support of his view of the want of jurisdiction, viz., the Ludlow case and the Tiverton school, the Reading dispensary, &c. The object really sought by the petitioners was, to merge all the rights and property of Manchester College in University Hall. Let them examine the case as it really stood. The particulars adduced respecting the foundation at Warrington were, he thought, not material. But as to the College at Manchester, he

thought he could shew from the beginning it was essentially a local institution. He did not mean to say that it was not considered that the establishment would be serviceable to the Presbyterian body at large. This was not denied, nor did it invalidate the essentially local character of the charity. If the argument of the petitioners succeeded, it might be pleaded that because students flocked from all parts of the kingdom to Rugby or Harrow, or to Oxford and Cambridge, that therefore these institutions were not local. He should like to know of one case of an institution founded in a particular locality, in which that locality was not an ingredient in the case? There was not a single instrument connected with the foundation of the College which had not the distinct stamp of locality. The design of its founders was to establish a College in the North of England, in which the Presbyterian body was most numerous and their influence the greatest. There was an essential distinction between the foundation of Warrington and Manchester. The former had no taint of locality. The original proposals and the first resolution treated the locality of Warrington as contingent and temporary. As to the proceedings of Trustees many years after the foundation, they were unimportant, and he felt assured his Honour would pay no heed to them. He found in every early document a *local* character. Look at the original resolution passed Feb. 22, 1786, when it was agreed "That an Academy should be established in *Manchester* on a plan affording a full and systematic course of education for divines, and preparatory instructions for the other learned professions, as well as for civil and commercial life." And the reasons given, resting as they did on the general character of the people of Manchester,—their Library, their Literary Society and School of Arts,—all still applied, and some of them now with greater force than when the College was established. Few things had, in his experience, occurred more surprising than the proposal to remove an institution like this from Manchester,—a town constantly growing in all things, but above all, honourably distinguished by its promotion of education, Libraries and other useful institutions. There was not in the whole kingdom to be found a town characterized like this by a concentrated zeal for education. Mr. Palmer then read the resolutions of the founders of the College, shewing how the principle of locality pervaded them all.

The MASTER OF THE ROLLS inquired what was meant by the 15th resolution, which gave the annual meeting of the Trustees the power of altering by a majority of votes the "Constitutions and Regulations"?

Mr. PALMER.—Simply Rules and Regulations. That was resolution No. 15. What was the meaning of No. 1 and No. 15? No. 1 rode over and regulated all that followed. The Sermon preached by Mr. Harrison, and the Oration delivered by Dr. Barnes, printed and circulated by the Trustees for the benefit of the College, also bore testimony to the strong influence of the *local* considerations which had guided the founders in their selection of Manchester. The argument used by the petitioners, that railways have entirely changed the character of local considerations, and have removed the difficulty once interposed by 100 or 200 miles, was altogether beside the question. That was simply addressed to the Court to *alter* the design and object of the founders of a Trust. He could not find a single passage in all the original documents indicating an intention of departing from the original *local* design.—With respect to the resolution which gave the Trustees in certain circumstances the power of dissolving the College;—it was argued that, because they had the power of dissolution, they also had the power of change. This by no means necessarily followed. It was argued that the removal to York was virtually a dissolution; but it was then provided that the annual meeting should be held in Manchester, and it still bore the name of Manchester College. It was, he knew, argued that, in case of its removal to London, the same practices would continue. But they did not justify the removal to York, which was wrong, nor would they justify a removal to London. One explanation of the removal to York was, that it had a bearing on the foundation of a College in the *North of England*. This term included

all counties north of the Trent; and upon this definition, Manchester and York would have equal claims to preference. But upon strict legal construction, he was satisfied there was no escape from the principle of locality in Manchester. It had been incorrectly stated that no permanent fund had been formed until after the removal to York. The money contributed by the Warrington Trustees, and the purchase of land at Manchester upon a chief rent, disproved this. The question of a removal had been argued upon the ground of expediency; but that expediency had by no means been made out. What was the fundamental object of this institution? The main purpose was to educate young men for the Presbyterian ministry. Was University College quite the place for fulfilling this object? He should have thought that if there was one place more than another unsuitable for this object, it was University College. It was essentially a non-theological institution.

The MASTER OF THE ROLLS.—Theology is rather a forbidden subject there.

Mr. PALMER.—Was it a politic scheme for the Trustees of Manchester New College to transport their Professors to London, and to carry their Theological staff to University Hall? The consequence would be an increase of expense in the necessary augmentation of the salary of the Professors. There would be loss of influence, as well as waste of money. The social position of the Presbyterians of Lancashire was higher than of that body in London. It was wrong to speak of the College at Manchester as a failure. Its number of students was small; but even at York, where the institution was considered successful, the number of students had never been large. The College at Manchester had trained a series of useful and highly-respectable ministers. The prospect of aid at Manchester from Owens College was an important element of the case. The resort by the Trustees to such an institution, identical in its leading principles with those of Manchester New College, was, as had been set forth in some of the closing paragraphs of Mr. Wood's affidavit, a natural and desirable arrangement, and one perfectly in accordance with the second resolution adopted by the founders. As they proposed, in 1786, to use the Library established by Humphrey Chetham, and the lectures at the Literary and Philosophical Society and the College of Arts, their representatives, in 1853, might, in the spirit of the founders and with the best results, avail themselves of the new and higher advantages which were now within their reach in the immediate vicinity of their own institution.

It was now after four o'clock, and the Court adjourned until the following day.

Mr. AMPHLETT, on the same side, argued against the petition, and against the case being decided *brevis manu* on petition. He urged that the Court should require an information to be filed. After reading the affidavits of Mr. Wood, Mr. Yates, Rev. William Turner and Mr. Eddowes Bowman, he urged that locality was a material part of the original constitution, and that consequently the Trustees had no right whatever to change the locality. This differed from all other Nonconformist Academies. They were strictly private institutions—reared by the zeal of individual ministers—without permanent property—changing their locality to suit the convenience of their conductors, and always determining at their decease. Warrington was different in respect to its body of Subscribers and its governing Committee; but it was expressly and from the first migratory. Manchester, on the contrary, was essentially and originally a local institution. [Of the concluding remarks of Mr. Amphlett, we are not able to give even an outline. What follows is from the short-hand writer's notes, and is, we believe, a verbatim report of what passed.]

The SOLICITOR-GENERAL.—Sir, before I advert, in reply, to the several grounds on which the argument for the respondent has been based, I must notice one observation of my learned friend who has just sat down, in which he deprecated your Honour's deciding this matter, as he expressed it, *brevis manu*. Now, I must say, that if a discussion of two days' duration, with all

the deliberation and care that have been used about the investigation of this matter, can be regarded as a proceeding *brevi manu* in my friend's apprehension of the word, he must attach to that piece of Latin a very different interpretation from that which would be given to it by ourselves and the rest of the world. I hope to see the time when all discussion about the jurisdiction of different tribunals will be determined, when they will be brought to an end, by each tribunal having a plenary and complete jurisdiction, and when this fearful source of controversy, of expense and of difficulty, shall be entirely removed.

THE MASTER OF THE ROLLS.—I think, with respect to the question of jurisdiction, you may argue whether it comes within the jurisdiction; but I think that upon no ground of consideration of that sort ought I to refuse to decide it. I feel satisfied that I must exercise my own judgment, whether I have jurisdiction or not. If I should be of opinion that I have jurisdiction, then the right of the petitioner is *ex debito justitiæ*.

THE SOLICITOR-GENERAL.—As your Honour has relieved me from that matter, I would only take leave to remark for a moment on the beneficial results of the late Act of Parliament.* What the House of Lords, or rather two noble and learned Lords in the House of Lords, principally rested upon, as being in their minds the reasons for narrowing the wholesome operation of the Act commonly called Sir Samuel Romilly's Act, was the circumstance that you must proceed under that Statute by affidavit. But now the benefits of the late provision have extended to petition under the Statute (Sir S. Romilly's Act) all advantages derived before from proceedings by information.

THE MASTER OF THE ROLLS.—And you may move for decree upon affidavit as soon as you have filed an information. So that, in fact, whether it is called an information or petition, does not very much matter.

THE SOLICITOR-GENERAL.—Then I was amused by the reference to Ireland; for, thanks to your Honour, there has been introduced into that country a practice that extends the jurisdiction, and by which, in truth, petitions are presented in preference to bills. Passing over that—which is one of the attempts which I hope will soon be regarded as an endeavour to fetter the hands of the Court by reference to rules which fortunately the late Act of Parliament has altogether done away with—we will address ourselves now to the considerations that have been presented to the Court.

Now, Sir, I am by no means sorry that there has been this discussion. In every matter connected with charity, particularly of religious charity, and especially a charity which I trust will have soon an extensive and beneficial operation, it is most desirable that what is done, if anybody is dissatisfied about it, shall be done by the authority of a tribunal to whose decision all will bow implicitly; and therefore, when your Honour shall have decided what is proper to be done here, you will have had the advantage of attaining that end which it is desired by all judges to attain—you will have the benefit of being sure of dismissing even the discontented party, according to the language of the old Roman moralist, *Bene placet*. I am happy that we have brought it before your Honour, in order that the removal of this charity may be the result of your Honour's careful attention and deliberate consideration; and I shall therefore draw upon your Honour's time much more largely than I should otherwise have done, in order to prove to you that what we propose to do can be done legally,—within the scope of the original powers,—according to the original charter,—according to the sense and interpretation which divers generations, I may say, of men engaged in this charity have put on those powers from time to time, no immaterial thing, and in accordance also with the most enlarged and well-founded view of what is required for the utility and for the beneficial extension of this important charity.

* The Chancery Reform Act of the Session 1852.

Now, Sir, my friend Mr. Palmer's argument, and the argument of his junior, has been, I think, principally addressed to two points: one was, I think, to prove that the design of the institution throughout was local; if not local to Manchester, at least local in this sense, that it was intended primarily and chiefly, if not exclusively, for the benefit of what they call the North of England—a wide and extensive area. If Manchester is to be regarded as being in the North of England—if Manchester was selected as the proper locality with reference to the North of England—and if anything like a central position entered into the views of the parties, so that Manchester might be regarded as the umbilicus of the area which they bring within their view, then their interpretation of "the North of England" will be something like Mr. Amphlett's interpretation of the words *brevi manu*, pretty extensive. But, in truth, there is no foundation for any such argument. I was desirous, in the outset, to point out to the Court that the carrying of the institution to Manchester was for the sake of the institution, and not for the sake of Manchester; and I will now, as shortly as I can, follow Mr. Palmer into the different particulars to which he adverted for the purpose of combating that position. But, before I do so, I must remind your Honour that my friend's hope was in confounding in the argument two distinct things, because I am concerned about that which is the essence of this institution, namely, its charitable part; and I distinguish the charitable part from that which is the auxiliary part. The essence of the institution was charity. The charity was, what? It was to provide religious education for as great a number of students as possible, to be introduced into the ranks of the Presbyterian ministry. You were to give them a theological education; but in the comprehensive spirit and enlarged view of the founders of this charity, you were to give them a most liberal education. But to afford a liberal, classical, scientific education, you must have competent Masters and Professors; and in order to pay the Professors that would be wanted for a complete tutelar education, a large amount of annual income would be required. They anticipated that it would be too much to expect that this large amount of annual income could with any security be derived from voluntary benefactions of the Dissenters dispersed throughout the kingdom, and therefore they thought it necessary to annex to the Theological Academy what I may denominate a Classical School or Academy, in order that the lay students who were received there for the benefit of classical instruction, might, by their contributions, contribute to and aid the support of the theological students. Their view was exactly similar to that which has induced the Court of Chancery in various cases to approve of boarders being taken by the masters of grammar-schools; and that view is founded on two grounds—one, that the society of boarders tends to the benefit of what you may denominate the pauper students, by associating them with a superior class; the other, that the boarders enable you to supply a better class of Tutors and Masters than you could out of the proper revenue of the charity. Those were exactly the views which induced the Trustees of the Manchester College, as it is called, aided by the experience they had acquired from the history of the Warrington Academy,—these were the views that induced them to go to Manchester; and when my friend read the reasons that induced them to go to Manchester, he did not point out, although he knew, and your Honour must have perceived it, that the reason why Manchester was selected was this, that Manchester would probably afford not only a considerable subscription list, but such a number of lay pupils as would give to the Academy such a number of students—not gratuitously educated, but educated for a consideration—which would enable the charitable part to insure the services of a considerable number of Tutors and Professors; and that reason is indicated on the very face of the thing. So that in fact the charity was brought to Manchester for the sake of the charity, which is universal and metropolitan in its character, and not for the sake of the local interests or benefit of Manchester.

Now, we will point that out, by finding in every word of the Report of the original proceedings on founding the College, a reference to Manchester as the place where the charity would be likely to draw and to derive considerable benefit. Let us take the first clause of that document. The charity is indicated thus—"That an Academy should be established in Manchester, on a plan affording a full and systematic course of education for divines." Then they give reasons why they should go to Manchester; and they are these—"That no place of education for youth on the liberal and extensive plan proposed, subsists within the distance of more than a hundred miles: that the great populousness of this vicinage, the opulence of its inhabitants, the number and respectability of the Dissenters, and the increasing taste for learning, insure both adequate support and a constant succession of pupils." Now, the pupils here spoken of are not the charity pupils; for the charity pupils are, as appears by a subsequent part of the scheme, to be drawn from all parts of England; and in particular, the ministers of the various Dissenting congregations scattered over the face of the land are recommended and desired to select out of the youth that fall under their superintendence and observation, those individuals best adapted to be received into the ranks of the ministry; and they, as far as the means would afford, are to be sent to the institution in Manchester, there to be gratuitously educated. But it somewhat amused me to hear my friends gravely appealing to these words, "the opulence of the inhabitants of Manchester," as a reason why the charitable institution was founded at Manchester, for the sake and for the benefit of Manchester. Why, the opulence of the inhabitants is here appealed to, as being a reason why you might expect that they would send to this Academy a number of young men to be educated in conjunction with charity students, and whose contributions, therefore, would afford to the charity the means of insuring the services of learned men. And your Honour will do me the favour to remark, what I dare say occurred to you before, that the whole of this preliminary part, or preface of the resolutions, was plainly written last. This was written after the resolutions had been adopted, after the institution had been founded; because the history of the several and progressive steps that were taken in the foundation of the charity was this—first, on the 7th of February, 1786, an invitation to Dr. Barnes and Mr. Harrison; then the acceptance of that invitation; then the agreement upon certain resolutions constituting what I may denominate the polity of the charity itself; and then, after this scheme of constitution had been agreed on, this programme or prospectus is drawn up by the Committee; and the part I have just read, which is the preface announcing the whole completed thing, must, from the very necessity of the case, from the very order of creation of the subject, have come last, because the words that are first written announce the completion of the whole design; but the several parts of the design undoubtedly must have been first perfected and fully ascertained before the announcement of the completion of the design. It would be hardly necessary to dwell on anything so obvious, if it were not the fact that Mr. Palmer overlooked the whole in his argument; and the topic which he principally dwelt on was, that the resolutions found in page 6 of the Documents relating to the establishment of the institution, are something wholly independent from this preliminary announcement, which states the constitution of the charity; and therefore his argument was, that the power to alter given to the majority of the Trustees present at the meeting, would not extend to any alteration of the antecedent rules or antecedent resolutions, which describe only the character of the institution itself.

Now, the second paragraph of this preface indicates in the plainest words why Manchester was selected as the seat or habitation of the charity. "The town," it is said, "is remarkable for a well-regulated police, and for a serious attention to the duties of public worship; and that the industry, ingenuity, and enterprising spirit which characterise the people, cannot fail to influence by example, and may catch the minds of youth by a secret and powerful sym-

pathy." Those are the benefits to be given to the young men brought to the place:—"Manchester contains one of the largest public libraries in the kingdom, to which access may be had at stated times: that the Literary and Philosophical Society have avowed a generous zeal 'to foster rising genius, to incite emulation, and to give energy to the powers of the human mind, by calling them forth into early exertion;' and that it may be presumed they will admit the senior Academics to attend their more instructive discussions: that another Institution, established here, may furnish opportunities of acquiring both the practical and theoretic knowledge of Chemistry, Anatomy, Physiology, and other branches of science, to which Students of Medicine may superadd attendance on the Hospital: that able Masters in French, Italian, Music, Writing, Drawing, and Merchants Accompts, are settled in the town: and that these several means of improvement lie within so small a compass, as to be perfectly compatible with each other." These are just the same as if in fixing on my residence I should say, It has the advantage of a fine air, of a beautiful view, of good water and readiness of access, and so on; and it would be ridiculous enough if I said, I want to reside there for the purpose of improving those things, instead of saying, I select it because of the benefits which those advantages would confer on me. The Theological institution is carried to Manchester because of the benefits which it was contemplated Manchester would supply to the Theological institution, in order that the Theological institution might be for the benefit of Manchester. Now, contrast with that what I dare say is in your Honour's recollection—for, if I mistake not, you were counsel in arguing the case—contrast with that the remarkable language which occurred in that instrument in endowing those schools at Manchester which were the subject of long litigation in the Court, in the *Attorney-General v. Stamford*. Now, when it was intended to found a charitable institution for the benefit of Manchester, what were the circumstances that were explained and stated in the charter as the motives of the particular charity? Why, the charter spoke of the number of youth in Manchester that had no education. The charter spoke of the paucity of schools in Lancashire. The charter spoke of the possibility that the youth of Lancashire might be attracted to Manchester; and the charter then founded two schools for the benefit of Manchester, in order that the *pauperes et indigentes* in Manchester and the neighbourhood might be benefited: but it is impossible to speak of a charity which, I say, is metropolitan to the country,—the objects of which are to be taken from all parts of the country,—it is ridiculous to speak of them as for the benefit of Manchester. No doubt pious men, owing to a feeling of gratitude, and entertaining a natural affection for their birthplace, or the place where they passed the greatest parts of their lives, frequently make endowments for local objects. Take, for example, the Tiverton school: a man who was a weaver's boy realized a large fortune, and, remembering the benefit which he thought he had derived from his education in the town, endowed a grammar-school for the benefit of it. I might also instance the case of Reading: but those are local charities; and these charities may be properly administered, as they have been lately administered, with immediate reference to the local wants, the local benefits to be conferred, and with a preference to the inhabitants that live within a particular circle or radius. But that is very different from an institution of this kind, which was to draft its young men from all England and bring them to Manchester, as being a convenient place to bring them to; but it was an institution to shed a light over the whole of England and for the benefit of all England, and not for the narrow circle of Dissenters in Manchester. This is indicated on the face of the whole Report; but it must have struck your Honour so strongly, that I do not think it right that I should indulge further in this line of observation.

The 13th Rule, in page 8, was pointed out to the Court by the other side, which was this:—"That application be made to some of the more distant and opulent societies of Dissenters for contributions to support the students in

divinity during their course of education. That such contribution shall either be received and applied by the Committee at their discretion, or bestowed by those who advance them, on young men of proper qualifications selected from their own congregations or vicinage." They appeal to the whole of England for support by contributions, and they throw open the doors of the charity for the reception of the proper objects thereof from the whole of England. That is the real object; and I dwell upon it the more, because we are now desirous of endeavouring, if possible, to carry out the true spirit of the institution; and inasmuch as the Manchester Academy is the only one that has survived, and, amid the wreck of many other institutions of a similar kind, is the only one that still rears its head, it is desired now to make it strictly metropolitan, for the benefit of the whole of the country, and for that purpose to bring it to London, taking advantage of other institutions now existing in London, the presence of which will take away a great part of the expense which, up to the present time, has been uselessly and unprofitably lavished on the Academy at Manchester, and will leave the funds of the Academy at Manchester open to be applied in aid of the charitable intent, namely, the gratuitous education of a large number of young men intended for the Christian ministry amongst the class of Protestant Dissenters. I am therefore very glad to enter into that field with Mr. Palmer, and to consider which is the best and most correct and the most judicious view of the matter,—whether his view is right, that would represent this thing as originally a narrow-minded institution, having a local reference to Manchester alone,—or whether my view of it is not correct, that it was intended for the benefit of all England, and that Manchester was selected for the benefit of the institution, and the institution was not created for the benefit of Manchester.

Now, as to the words "the North of England," I admit that in the original foundation of the Manchester Academy, very probably they had a reference more particularly to the Northern counties, taking those words in a wider latitude. But why so? Because contemporaneously with the institution at Manchester, there was another institution of the same kind, having the same object, at Hackney, near London; therefore it was very natural to speak of one as being central and more easily accessible in those days by the young men of the North, and to speak of the other as Southern, and more easily accessible by individuals who resided in more Southern counties. But then the fact is, that the Southern institution at Hackney fell in 1796, or about that time, and the institution at Exeter came to an end also about the year 1805, ten years afterwards; and from that time until now, there has been but one such institution in the whole of England, and that has been the institution hitherto located at Manchester, except during the period of time it was removed to York. And therefore it is quite proper now to disregard, even if there was a limit or an intention which at the time of its creation pointed to the North,—it is right and fit to disregard that. Would it for a moment be supposed that the Trustees of the Manchester Academy, if it remained there, could refuse to admit young men from the South, because, forsooth, at the time of its establishment they looked more particularly to the Northern counties? Undoubtedly not. The young men must be taken who are to be educated there, without reference or distinction, from the whole of England; and therefore it is one circumstance why it should be brought to London, that the young men can be brought to London from all parts of England with greater convenience, and with the certainty of attracting a larger number than if it remains at Manchester.

Now, Sir, I have taken more time upon this than your Honour would perhaps deem it worth while to have done; but I have done it for the purpose of convincing those few conscientious dissentients, who are excessively few in number, that if they will for one single moment attend to those considerations, they must be satisfied of this,—that that which they have much at heart, namely, the advancement, the prosperity, and the extension of the institution,

will be objects more certain of being accomplished by the removal to London; and that, by the removal to London, we are acting in that very universal, comprehensive spirit of charity, that originally dictated the formation of this institution.

Now I will call your Honour's attention, in the next place, to what my friend sought to insist upon, namely, that the power which was originally given to the majority of the Trustees, was a power, as he expressed it, to *alter* those resolutions which commence in page 6 and terminate in page 9 of the Report, but it was not a power to alter anything that is found in this document to precede those resolutions. That was the first contention that he made. Next, that the resolutions, rightly interpreted, would involve a power of dissolution; but a power of dissolution, he said, involved no power to change. Those, I think, were the two arguments, or rather the two conclusions resulting from the great number of observations and arguments that your Honour has heard. Now, with regard to the first, I have partially adverted to it; but, in truth, it has no foundation in fact, because, I say, the alteration which it is here provided the Trustees by a majority shall always have a power of making, is the alteration of everything that enters into the administration and constitution of the charity. Now Mr. Palmer said, could they alter the substance of the charity? No, certainly not. The substance of the charity is the gratuitous instruction of young men intended for the ministry among Presbyterian Dissenters. That radical object of the charity, that great organic constitutional object of the charity, never could be altered, never could be diverted from, because all the regulations for the attainment of that end,—its locality, whether it should be managed in this way or that way, what means should be adopted to accomplish the great object,—all these are placed in the power of the meeting, and all these are subordinated to the will of the majority of the Trustees, properly declared. And your Honour will see it is abundantly clear (if you will do me the favour to attend to the 17th Rule for a moment) that the Constitution and Regulations which are declared just previously by the 15th Rule, form the very thing which was written in conformity with, and compliance to, the direction contained in the 17th Rule; for by the 17th resolution this is stated: "That the Committee be requested to announce to the public the institution of this Academy; and to print and distribute a Report of the proceedings of the present meeting, authenticated by the signature of the Chairman;" and accordingly, in obedience to that resolution, they do prepare this very Report, and this very Report, which is issued to the world on the 22nd of February, 1786, and embodies in it those very resolutions—is a composition framed and made by the Committee in obedience to that very resolution; and the result therefore is, that the Report itself is made and expressed in conformity with that direction; and the direction therefore out of which the Report springs, is unquestionably of more importance and more efficacy in the constitution of the charity than the Report itself, which is framed only under that direction. It is idle therefore, speaking with very great respect to my friend, and to his arguments, which are always entitled to such respect—I am using the word not in an offensive sense at all—it is idle to contend that the power of altering these resolutions does not involve the power of fixing on a different locality. But independently of that, which is conclusive, my friend is equally wrong in supposing that the resolutions did not embody the locality. Now if the locality of Manchester, thus fixed on with reference to its then existing advantages, is a thing found in this very resolution, and if Mr. Palmer admits that all these resolutions and everything found therein may be altered by the 15th Rule, then, according to his own showing, the locality temporarily fixed on may also be altered. But that is so, because, if your Honour will do me the favour to observe, the first resolution is, that the answers delivered by Dr. Barnes and Mr. Harrison are satisfactory—those were answers that they would accept the care and superintendence at Manchester—"and that it is the hope and confidence of every one present, that the Trustees of the late Warrington Academy will approve

the attempt to establish a Seminary of Learning, similar in its objects and in its plan to that which they have so long and so liberally patronized." Then, if your Honour will do me the favour to turn to the 12th resolution, there are the words—"That the Committee be authorized to solicit and receive Benefactions, Subscriptions, and Loans if necessary, for the establishment and support of the Manchester Academy." The 13th, which I have already read, intimates the same thing. But the 14th is most distinct—"That a Common Hall and convenient Lecture Rooms be erected, with accommodations for a Library, and for a Philosophical and Chemical Apparatus." And then all these resolutions, and all these directions, and everything that should emanate out of the power contained in these resolutions to give directions, are subjected and made wholly subordinate to the power contained in the 15th resolution—"That these Constitutions and Regulations shall not be alterable, but by a majority of votes, taken by ballot, at the annual meeting of the Trustees."

Now your Honour drew my friend's attention to the word "Constitutions"—most important—and asked my friend what he supposed that meant. The only answer we got was, that he supposed it was used as a mere synonyme for "Regulation," or a mere substitute for the ordinary words, "Rules and Regulations." Why, what can be more emphatic or universal than the particular phrase here adopted—"Constitutions"? Constitutions means the whole establishment, the whole plan, the whole design,—save only, I admit, that limitation which I would put upon it, that you cannot dedicate it to a different end. You cannot change a Protestant charity into a Popish charity, you cannot change a charity for the education of young men into a charity to give portions to young maids. That I will admit, and that is preserved by the first resolution, because it is said that this shall be a "Seminary of Learning similar in its object and in its plan to the Warrington Academy." They mean to pursue the exemplar of the Warrington Academy, which was established at Warrington, not for the sake of Warrington, but for the sake of the local advantages at that time presumed to be at Warrington, and with an express reservation to have a new site, a new situation, whenever it should be deemed advisable. There cannot be a doubt, therefore, that the whole of this design, as it depends on voluntary subscription, as it was intended from the commencement to be supported by benefactions derived from every part of the kingdom, so it was intended that the benefactors and contributors should determine the constitutions and regulations they might deem necessary for the attainment of their object; and in order to do that, a particular kind of constitution is established for the charity, namely, this, that every donor of twenty guineas, and every subscriber of two guineas, should become a Trustee, and then the Trustees are made the representative body. The power, the political right, the constitutional authority, to determine the regulations and the management, and the way in which the charity should be carried on, are given to these representatives and those individuals, in whom the whole of the constitutional right is made to reside, namely, in the Trustees, with respect to whom it is provided that they shall be convened at a certain time, and then the majority shall bind the rest and determine what shall be done. Now the 15th Rule says, "That these Constitutions and Regulations shall not be alterable, but by a majority of votes, taken by ballot, at the annual meeting of the Trustees; and that, after the experience of three years, they shall undergo a due revision, and then be established into a code of laws, not alterable, but by the votes of three-fourths of the Trustees, present at their annual meeting." And my friends were quite mistaken—indeed, it was an extraordinary error—to suppose that we relied at all on the power to dissolve the society. The only way in which I used the topic—not meaning to use it in any manner in the sense of a menace—the only way I used it was this: why, if you, the two dissentients who have thought it right to bring us into a Court of Justice, which I do not regret, save the consequence of the vast expenditure of money,—the publicity of discussion I should invite, and should be happy to have brought under the judgment of

your Honour, which shall settle this thing for ever, but the expenditure I lament,—however, I say, you who have brought us here, ought to have had it present to your mind how idle is this discussion; because, if it should turn out that your objection to our construction, or any other impediment your ingenuity might create, would avail to tie the hands of the Court and prevent its judgment, what would be the consequence? Why, the great majority of subscribers, unanimous in their approval of this thing, will have nothing to do but to retain their contributions; and what will be the consequence to your charity? Why, that it will fall to the ground, and you only have this melancholy thing to reflect upon,—that by reason of these technical difficulties of yours, and your believing it to be your duty to oppose the opinion of two against the unanimous judgment of so great a majority, you will have the melancholy reflection that you have been in reality the cause of the suppression of this charity. The result, therefore, is this, and which every one must have foreseen, that if we cannot remove Manchester Academy to London, we should remove these sums of money to another Academy in London; for, what a melancholy picture is it that all this money should have been applied so many years to Manchester, and that there should be only fifteen lay students and seven students in divinity for some time, and they tell me there has been a falling off since. Now, how idle it is, and what mismanagement must there be, and what evidence of imbecility in the present plan, to suppose that there should be nearly £900 a-year of permanent property, and that income and all these contributions in addition shall not have been rendered available for anything more than this miserable result; that seven theological students and fifteen lay students are alone educated, not supported, by the expenditure of so large a sum of money! Does not that want alteration? Does not that want a radical alteration? And what has been the experience afforded by the past year? Why, look at the table! You restored the institution to Manchester. You were told at that time it would be wiser to come to London. You thought yourselves wiser than the rest of your companions, and you brought it back to Manchester. You got it there on the promise that it should be tried as an experiment; and how does that experiment turn out? You have gone on languishing and decreasing, year after year, until you have brought down the number of students educated in this Academy to this pitiful number. Does not that loudly proclaim the necessity of removing the local *habitat* of this institution to some other place, where a greater number of young men resort, and where those young men will be available, first as students to enter into your Theological School, and thereby to improve what I may call the poor students who will be brought there, and where the poor students will have the advantage of going into the schools already existing, and of obtaining that comprehensive education which they do not get effectually, although you expend so large a sum in this impracticable manner.

These are considerations which I should have been glad if they had been present to the mind of this gentleman, Mr. Rayner Wood, and had been of sufficient weight to forbid his compelling us to come into a Court of Justice, at the expense of a sum which might have been applied probably to the education for the ministry of three or four young men; for this legal expenditure, I am afraid, will be such as would have supplied the wants of three or four students.

My friend then said that no power was given to the majority to change the site; and then he adverted to the letter written by the Trustees of the Warrington Academy, contending that that letter furnished an evidence that we accepted what they were willing to give on the terms of continuing at Manchester. That was totally erroneous. Your Honour will find what my friend referred to in the 38th section of the petition. It is the resolution of the Trustees of the Warrington Academy, finally dissolving the Warrington institution; and I find that that resolution runs thus—"That a moiety of the surplus money be given to the Trustees of the intended Academy in Manchester, upon trust, for pro-

moting the liberal education of Protestant Dissenters hereafter, to be a settled, fixed thing, which may at all times be augmented by the donations and bequests of those who are inclined to forward a matter of such great importance; the annual produce only of this fund to be employed for the use of the intended Academy in Manchester; and in case that institution should cease, then to the erection and use of another Academy or other Academies in any favourable place or situations in England or Wales, or to the support of one or more such Seminaries as may at the time be established, or that may be revived, within the same limits." So that it was quite erroneous, as contended by my friend, that they contemplated the institution in Manchester as the only object for which their charity was exerted. What they did contemplate was the liberal education of Protestant Dissenters, with respect to which the locality is a mere accident. If it shall be available in Manchester, let it be carried on in Manchester; but if the institution in Manchester shall not be available, let the charity be carried on in some more favourable place or situation in England or Wales; and it is therefore idle to suppose that at any one period any one of the men who have taken a distinguished part in the administration or conduct of this charity, ever contemplated Manchester as something essential or bound up with the existence of the charity itself.

That being so, I believe I have now adverted to almost every point which my friend Mr. Palmer drew an argument from, save only the observation which fell from Dr. Barnes and Mr. Harrison, in the Sermon of one and the Oratorical Address of the other, delivered on the opening of the institution at Manchester. With regard to Dr. Barnes' Oratorical Address, your Honour will recollect what my friend pressed into his service was, those passages in the learned Doctor's Address in which he combats the argument to shew that Manchester ought not to be the habitation of the charity. I could not imagine that my friend would commit so singular an error as to hit on that very passage in support of his theory, which to my mind is subversive of the whole of his argument; for if Dr. Barnes and the people he addressed had entertained the belief or idea that this was a local charity prompted by the necessities of Manchester and its neighbourhood, would there have been any necessity for the Doctor to use arguments to shew that there was no objection to such a charity, that it should be founded in Manchester, and that it should dwell in Manchester?—and accordingly, he meets the ordinary topics brought forward against fixing the education of youth in a populous town, and meets them by considerations which he thinks are sufficient to render it desirable that it should be established in a town presenting such advantages as Manchester. The real object and the real end to which those observations might now be made subservient, is this—to meet any objectors who might come forward and say, Why bring your young men to London—why expose them to all the seductions of a capital—why bring them here, where they would have a thousand temptations presented to their minds? The answer will be found in the passage I have read—a passage used for the purpose of combating the objections of those who would wish to have a different locality than Manchester selected for the establishment of this charity.

Now, Sir, we will go on, if you please, to another argument of my friend. I should be sorry not to do justice to my friend's arguments; and we will go on to one or two further considerations which, if they had existed in the case, would have been worth a great deal more than anything my friend Mr. Palmer has brought forward. Do me the favour to consider another *indicium* of local charities which we constantly find:—namely, that you provide for a *local* charity, you declare Trust-deeds for a particular place. Does your Honour remember that in the Manchester school case it was one of the declarations of Lord Lyndhurst's decree, that the Trustees were to be selected from Manchester itself? Is there any such *indicium* of locality here? Are the Trustees confined to residents in Manchester? No such thing. The administration of the charity is given to Trustees generally. The Trustees are to form a

Committee for the purpose. It is true that the place of meeting for that Committee is selected; and as long as the institution was in Manchester, it was desirable to make the place of meeting Manchester.

Let us look, again, if you please, at the light afforded from the administration of the charity, and the manner in which these things have been considered and regarded by successive minds who have applied themselves to the understanding of the constitution of this charity, and to the due administration of it in conformity with the Rules. It is founded at Manchester; it was attracted hither by the accidental and temporary benefits which Manchester presented. Some of the accidental benefits were likely, probably, to be permanent. The temporary which I advert to were, the presence of two distinguished and learned men then resident in Manchester. After a certain number of years, the services of those gentlemen were no longer available. They tried to supply their places. They found no man equal to fill the chair which those eminent men had previously filled; and then, what was the resolution they came to? Observe what were the discussions referred to. Different plans appear to have been proposed, but all of them involving a change in the locality of the institution. I was very much struck with the opinion attributed to Dr. Percival, who I suppose was the very person who signed this Report at page 9, who appears to have been a physician. He had a very comprehensive design, and exceedingly similar to that which I am now pressing on the Court's attention; for when it was found it could no longer go on at Manchester with advantage, Dr. Percival proposed that it should be established in one of the Scotch Universities. Undoubtedly there would be considerable objection to that, because it was an English charity; and I can understand that you ought not to engraft an English charity into a Scotch one. But it is quite clear it must be accepted as an evidence that one of the gentlemen, who was a leading founder and conversant with the whole thing from the beginning, did not imagine there was anything in the constitution of the charity that would be at variance with the notion of disconnecting it from Manchester and establishing it at a place even so distant as Glasgow; and he thought it would be desirable to place this in the middle of a large town and large University, and give it the benefit that institution would afford. That is the plan that we desire to follow out, with this difference, that instead of transferring it to Scotland, we propose to transfer it to London, where it will be easily accessible and its light diffused for the benefit of all. Well, but at that very time discussions were general among the Trustees where it should be carried to; and we find the same mode of proceeding was adopted then which has been adopted now,—namely, the design of removing it to York was generally announced to the subscribers. That was considered; and they came to the conclusion that it should be removed to York, and placed under the care and superintendence of Mr. Wellbeloved; and they adopted the course which we have adopted, namely, of sending a copy of the resolution, which your Honour remembers was carried by a majority.

MR. FIELD.—It was carried unanimously.

THE MASTER OF THE ROLLS.—The coming back was carried by a majority.

THE SOLICITOR-GENERAL.—Yes, Sir. However, it is the same thing, because the next paragraph states that they sent a copy of the resolution to all the Trustees, thereby plainly indicating, what common sense would dictate without that, that of course all the subscribers qualified to be Trustees were not personally present at that meeting when the resolution to remove it to York was arrived at. Then it was carried to York, and it remained there, without difficulty in the minds of anybody, until the same defect occurred, namely, the want of supervision, and there was a failure of the individual's physical power, not mental power, any longer to be at the head of this Academy; and then, the reason of the removal to York having ceased, it became a question whether it should then be transplanted to Manchester. At that very time, I observe by the resolutions that it was brought in a very prominent

manner to the attention of the subscribers; that in consequence of the establishment of University College, the number of lay students making payments had fallen off, and would continue to fall off, and experience has proved the truth of the observation. They had begun to fall off before the year 1839, when the supervision of Mr. Wellbeloved actually ceased. During the next ten years, as your Honour observes, the falling off has been very great indeed. Now there were great discussions attending the removal from York, and whether it should be removed. Then it was proposed to bring it to London, and the very gentleman who instructs my friend was one of the chief advocates for bringing it to London. I advert to that only for the purpose of shewing that, at that time, no individual imagined for a moment that there was anything in the constitution or history of this charity, that should prevent any locality being chosen,—any favourable situation for the purpose of developing and of carrying out the great object of the institution, namely, the education of the youth of Protestant Dissenters for the ministry,—any favourable situation for that purpose in England or Wales. Then it is brought back to Manchester, and is actually located in Manchester, by virtue of the resolution of the majority, and it owes its position in Manchester now to that very proceeding;—a similar proceeding to which has been adopted for the purpose of removing it to London, the restoration of the Academy at Manchester having been proved by experience to be most inexpedient.

Now, is there anything, with regard to the ordinary rules of the Court, that is opposed to what we ask? What is it we appeal to with regard to the administration of charity property? No doubt to the rules that originally established the charity. But how are you to regard those rules? You are to regard them with a special reference to the usage that has prevailed; you are to regard the interpretation of them, the manner in which they have been looked at from time to time,—not, indeed, for the purpose of sanctioning an abuse, because if there be abuse, usage will not avail; but if there has been a mode of dealing with the property which, as to its application, would not involve any breach of trust, then the understanding of and the mode of dealing with that rule, which has prevailed from time to time, is constantly appealed to by the Court. Can there be any doubt that the men who determined on the removal to York were individuals who were personally, from their own experience in this matter, able to know what had been the original design; and they were themselves personally aware of what was the intention of the individuals who assisted at the birth, and nursed this institution in its original formation at Manchester, because we find from the evidence that the number of persons who joined in the removal to York, still survived those who had been present and assisted in the foundation in 1786. But that almost amounts to a contemporaneous exposition of the rule; it shews what was the understanding of the rule; and your Honour will observe it has been on that understanding,—on that conclusion derived from the history of the charity; that benefactions have been made, subscriptions furnished, and contributions obtained from all parts of the kingdom;—namely, that they were contributing to an institution founded for the education of Protestant youth for the ministry among this class of Dissenters, and that this institution was existing at Manchester, but liable to be removed back to York, or from York to Manchester, or any other favourable place, in case it should be found better to attain the great end of the charity. Therefore, I would insist upon it, even if it admitted of more doubt than it does,—for I think I may submit to your Honour with great confidence, that there is extremely little, notwithstanding the ingenuity which has been lavished upon it,—but if it admitted of more doubt, your Honour, I think, would be inclined to construe those words, and to take the meaning of them, with reference to the practical exposition of them that has been supplied from time to time, and to the evidence afforded of their true meaning and intent by a transaction that took place as far back as 1803, that is, half a century ago. Half a century ago, there was the same interpretation

put upon the nature of the charity and the power of the majority, as the interpretation I beg of your Honour to accept and to act upon. If that be so, the question is, whether the Court will concern itself at all with considerations of expediency? I desired my friend Mr. James to remind your Honour of a case, and I think he mentioned it, although in a matter like this cases are superfluous (your Honour will recollect it, for I think we were counsel together),—a case of the London Conveyance Company, in which a certain conclusion had been arrived at, at a meeting of subscribers, touching the dissolution of the Company, and it was sought to be controlled by arguments addressed to the Court to prove the great inexpediency and impracticable character of the course they had resolved upon. The answer given by the Lords Commissioners was exceedingly simple, namely, that if the constitution of any society, or any establishment, provided that certain things should be done by the majority, questions of expediency, propriety and utility, were all submitted to the judgment of the majority; and that this Court would not for one moment dream of asserting a jurisdiction to control the proper and faithful exercise of that judgment, supposing the regulations governing the mode of coming to that judgment to have been abided by, and supposing the majority to have thus come to a proper exercise of the power committed to them. Whether their determination was wise or unwise, useful or unprofitable, is an inquiry into which this Court would never for one moment enter. Therefore it has always appeared to me, from the nature of the case, that all we had to do was, to prove to your Honour that what was proposed to be done was within the power of a majority of the Trustees, and that that power had been duly and regularly exercised.

I have now addressed myself to the argument with regard to its being in the power of the Trustees. Upon the construction of the rules, and the particular application of them afforded by usage, nobody can pretend that the power has not been duly and regularly exercised. But your Honour observes abundant precaution and care after we had arrived at the resolution, which was accompanied by a meeting more numerous attended than any meeting has been for years, at which I think there were seventy Trustees,—a meeting more numerous than any to be found in the annals of this institution. When a majority had arrived at that resolution, it was submitted to another meeting, and this very petition was placed before the meeting, and it was proposed it should be presented by the Trustees. That was put to the vote; a ballot was taken, and it was carried by twenty-three votes in favour of the resolution, there being only two votes against it. But the care and anxiety of the management of the proceeding did not rest there; because out of the abundance of their care, and that no man should be able to say this was a thing done in a corner, we sent a letter to every Trustee, together with a copy of this very petition, which we had sent to all the Trustees, and the only two dissentients were those who have been referred to by my friend Mr. Amphlett.

THE MASTER OF THE ROLLS.—Mr. Wood and Mr. Yates.

THE SOLICITOR-GENERAL.—Those are the two gentlemen who make affidavits against us. We received special answers from one or two gentlemen. One gentleman who has made an affidavit used against us, Rev. Wm. Turner, signs simply approving. Then there is another gentleman, of the name of Bowman, and he appends to the letter this note: "I disapprove of the resolution for the removal of the College, and though quite willing to acquiesce in the decision of the majority, I do not see any objection to the numbers for and against removal being fairly laid before the Court." So that that gentleman was merely desirous that the fact that these resolutions had been passed by such a number should be submitted to your Honour, and that your Honour should determine thereupon. I do not know, therefore, that I have ever met with a case in which there was a question among a body of Dissenters in all my experience, and, I may add, your Honour's also, in which there was so much unanimity and so much uniformity. My experience forbids me to hope that, either in this

religious body or in any other religious body, there will be on any question, however simple, however plain, however manifestly right, perfect unanimity of opinion; and what our experience proves to us it is hopeless to attain, the experience of this case justifies us despairing of, for here are matters so palpable, that whoever gives them an accidental glance will be convinced of the propriety of the determination. There were found to be two to oppose this, and to oppose us to the extent of coming into a Court of Justice. The other special answer is in these words, from Mr. Whitehead: "With my present views, I cannot consistently attach my signature to either of the above paragraphs. I have, on the one hand, a very strong opinion adverse to the removal of the College from Manchester; while, on the other, I am unwilling to sanction anything like factious opposition to the wishes of a large majority of Trustees." And so this gentleman, moved by one consideration and the other, is hung up and suspended by the two opposing influences. He need not have troubled himself about consistency, because he had an eminent example in Mr. Wood that consistency was not a quality very much to be regarded.

Sir, I have only one other observation to make, and that is upon the only thing I was desirous of ascertaining before I could strongly advocate this matter and press it upon the attention of the Court, and that is, that Owens College at Manchester could bear no comparison as to the benefits it offers, with University College in London. Now, for the reasons I have already given, I humbly submit to your Honour it is not a topic on which you would give any opinion, seeing that it belongs to the majority in their judgment to decide; but this, as well as all other matters, it may be more satisfactory to your Honour to know the exact truth about, and therefore I was desirous of giving you the whole of the facts with respect to it. Now, independently of the reason I have already given, and which appears in the Report, namely, that the students of Owens College are distinguishable in an eminent degree from University College, by reason that they are rather boys who come to Owens College for classical education, than the young men found resorting to University College at an advanced period of life, I find on the proceedings of the Trustees this remarkable thing, which I do not wonder at exciting the alarm of this class of Dissenters, whose badge and distinguishing characteristic is, that they will not permit anything like their religious opinions or faith to be shackled, or even to be condensed into the shape or form of any creed or religious profession of faith. Owens College have thought it right to prescribe a form of religious instruction for boys and young men resorting to the College; not that they make it compulsory, but they have got it there—they make it part of their establishment—and therefore it was naturally felt by a large class of Dissenters, that even though it would not be imposed as a mere obligation on the young men, yet that it might affect the young men, and lead them away from the particular form of belief in which it was the duty of the Trustees of Manchester College to keep them. I think they did right. I will read to your Honour a passage in the Report of the Sub-committee of our body on Owens College:—"One subject to which your Committee have not adverted, but which they consider of too great importance to be altogether passed over without notice, is, how far a sufficient security is provided by the regulations of the Owens College, that the religious liberty of its students shall in no degree be infringed upon, nor in any way whatever compromised." Then they go on to say,—“the will of the Founder no doubt provided that that should be done.” They then mention provisions in the Owens College regulations to secure such liberty. But then they go on to state—"In connection, however, with these provisions must be taken the fact that the Trustees of Owens College regard direct religious instruction as falling within the testator's intention." In a Report of the Committee appointed from the body of Trustees of Owens College, to take into consideration the general character and plan of the institution to be founded, and to which the body gave its sanction, they thus expressed themselves: "We recommend that religious instruction

shall be provided for all the students, as well regular as occasional, who may desire to avail themselves of it." Then they go on to say it will not be compulsory; but in that Report the Sub-committee of our body make these observations: "In what manner and to what extent those students might be affected whose conscientious scruples would not permit them to attend such teaching, is a question, as it seems to your Committee, which calls for careful consideration. This determination on the part of the Trustees, occasioned at the time considerable alarm among the friends of religious liberty in Manchester."

Mr. AMPHLETT.—What is the date of that?

The SOLICITOR-GENERAL.—December 17th, 1851. Now, I think that was right. It was in the true spirit of charity; and I beg to borrow all that my friend dissented from, that they cannot alter the original constitution of the charity. There is nothing that is of the essence of this charity more than perfect freedom, wholly unshackled by any test, by any creed, or by any profession. They were to have the young men educated in their own principles of English Protestant Presbyterians. But if there was to be religious instruction open to the young men provided for them in Owens College, there is no security that that would be according to the peculiar tenets of our body of Dissenters: and then, what are we to think of young men being sent to Manchester College for the purpose of being educated in a certain set of religious principles, and then left at liberty to go to another institution where they would probably fall in with persons pursuing a different mode of religious instruction, and the managing body of which institution would feel it a conscientious obligation to attract as many young men as possible; and therefore that is one reason why University College, where there is nothing of that sort provided as part of the institution of the College itself, has been preferred.

Now, these two reasons are the principal reasons—if reasons need be given on the subject—why the majority of Trustees determined on the locality of London in preference to the locality of Manchester. I think, in addition, the proof that education in Manchester has been tried and failed, is a strong additional reason for bringing it to London. I think it is necessary to infuse new life into it; and I know of nothing that will be more effectual to that end than transplanting it here to London, and putting it under careful superintendence. And the fact of that being done will tend so much to the augmentation of this charity, that it may fairly be expected to be twenty-fold as beneficial as it has been; for it will attract a much greater amount of contribution than hitherto it has been able to command, and the prospect of the future will be so bright and so generally attractive, that I have no doubt it will realize the expectations that were entertained at the time it was originally taken to Manchester, but which for the last ten or fifteen years it has miserably failed in satisfying.

Sir, these are the grounds on which, in a local point of view, in a religious point of view, and in a moral and economical point of view, we are desirous to attain the end proposed; and I humbly hope and trust that we shall have the sanction of your Honour in every respect. And if I might venture to prefer a request, I would ask that you would in a matter like this endeavour to go a little beyond the strict legal, judicial view of it, which is never to transcend your proper province in the mode of conducting a charity, and that you will stamp with your approbation what has been done, which will not only calm and put an end to all opposition, but which will be one of the most beneficial things to this charity, because it will encourage people to look forward with approbation and with a glowing hope for the future;—and that will be in truth a compensation for the distress, expense, and obstruction we have been put to by being brought here by these two dissentients into a Court of Justice.

The MASTER OF THE ROLLS.—Let me have all the papers. I should like to look at them before I give Judgment.

JUDGMENT—*Wednesday, April 13, 1853.*

THE MASTER OF THE ROLLS.—This is a petition presented under the Statute of 52nd George III. chapter 101, by twenty persons, who are some of the Trustees of the charity called the Manchester New College, praying a declaration that it will be for the benefit of the institution that it should be established in London as a Theological institution, for the purposes for which it was originally founded, and to be in connection with University College, London; and that, notwithstanding such removal, the rents of the property belonging to the charity may be paid by the Trustees as the Committee shall direct, and if necessary, for a scheme for the future management of the charity. The charity was established in the year 1786. It is so constituted that every annual subscriber of two guineas and upwards, and every donor of £20 and upwards, become Trustees, who conduct its affairs by a Committee elected from themselves. The charity is possessed of considerable property, part of which, consisting of certain estates in Yorkshire, is vested in William Rayner Wood and about twenty other persons, in trust, for the institution; and also of £500 $3\frac{1}{4}$ per Cent. Bank Annuities, standing in the names of William Rayner Wood and two other gentlemen; and £3700 lent on Debentures, in the names of Mr. Turner and Mr. Wm. Rayner Wood. Mr. William Rayner Wood is also one of the Committee of Management, and one of the respondents to this petition.

In February last, when this petition was presented, the number of Trustees was 199; and to each of them was sent a circular requesting an opinion as to the propriety or expediency of transferring the charity to London. To this application 55 appear to have sent no answer; and of the remaining 144, 141 approved the transfer and three disapproved; one of whom also approved of the opposition of Mr. Wood, and has taken an active part in opposing this petition.

If the question which I have to decide had depended upon whether it would be advantageous to this institution that it should be transferred to London, it would undoubtedly be a circumstance having great weight with me, that only four out of so numerous a body of Trustees should have thought proper to express their dissent to the project, and that only two of them should have offered active opposition to the proposed scheme. The point, however, which I have to decide is not affected by the question of expediency, but depends upon the question whether the proposed transfer is in accordance with the views and objects of the original founders, and the laws which they have established for the regulation of the charity. The petitioners contend that the majority of the Trustees can, according to the original and fundamental laws of the institution, determine in what place it shall be carried on. The respondents dispute that proposition, and contend that the charity was established for the benefit of Manchester and the Northern parts of England, and that to remove it from Manchester is inconsistent with the objects for which it was founded, and is not warranted by any of the laws by which it must be governed.

To determine this question, it is necessary to examine the origin of the institution, and to consider the documents of foundation and the laws then established for its regulation and management. But before doing so, I must notice a preliminary objection taken by the respondents

to the jurisdiction of the Court, by whom it is contended that the relief prayed by this petition does not lie within the provisions of the Statute of 52nd George III. chapter 101, as they have been construed by the decisions in Chancery and in the House of Lords. The words of the Statute would appear to be comprehensive enough to include this case, unless it is prevented by the construction put upon them by repeated decisions. The words are these—"That in every case of a breach of any Trust, or supposed breach of any Trust, created for charitable purposes, or whenever the direction or order of a Court of Equity shall be decreed necessary for the administration of any Trust for charitable purposes." It is impossible, it should seem, to use wider expressions; and unless, therefore, the natural effect of them is controlled by the decisions of the Court, I should not entertain any doubt that they comprise this case.

I think it unnecessary to go in detail through all the authorities which relate to the jurisdiction to be exercised under the Statute. The narrow limits originally imposed by the earlier authorities have been relaxed by some later ones. It may, however, I think, be said, that the decided cases have cut down the operation of the general words of the Act to cases which arise between the Trustees and *cestuis que* Trust of the charity; and that even in cases of this latter description, the Court must exercise a discretion as to whether the Act can be applied with advantage to the charity. In *The Attorney-General v. The Bishop of Worcester*, 9th Hare, Lord Justice Turner seems to have been of opinion that the Act might at all events be safely resorted to in all cases where no separate and conflicting interests existed between the objects of the charity, and where, therefore, the Attorney-General represents them all. I concur with that observation, but without saying any more than that learned Judge has done, that the Statute is to be confined to such cases. Applying these observations to the present case, it is manifest that this is not one in which any question arises between the Trustees and strangers, neither is it one where the objects of the charity have separate and conflicting interests. No discovery is wanted—no breach of trust is complained of—no question of property or liability to account is to be hostilely discussed, either between the charity and strangers, or between different sections of the *cestuis que* Trust interested in the charity; but it is a case where the direction of the Court is required for the administration of the Trusts of the institution. To compel parties to file an information for such a purpose and in such circumstances, would be to put the charity, and the persons interested in its funds, to a useless and wanton expense. It has been urged that I ought to allow this objection, because it has been held that no appeal lies from an order of the Master of the Rolls upon a petition under this Act, except to the House of Lords. I do not adopt that view. In all cases, whether an appeal lie to one tribunal, to more than one, or to none, it is alike the duty of the Court to ascertain the facts and to weigh the reasons on both sides with the utmost care, with a view to the administration of justice to all the parties concerned; and when the Court sees its way clearly to a conclusion, it is bound to act upon it, regardless of the consequences. I am of opinion, upon the fullest consideration that I can give, that this is a case in which the Court has jurisdiction; and I cannot shrink from exercising it from any motives of delicacy which

might dispose me to wish that no decision of mine should be incapable of being reviewed by the Lord Chancellor or by the Lords Justices of Appeal.

Recurring to the principal question, it is necessary to examine into the circumstances and documents of the original foundation of the institution, which are peculiar and unusual. In ordinary cases, some will or deed of foundation, or charter of incorporation exists, by referring to which, and ascertaining the meaning of the words there used, the question may be determined. In cases where the original instrument of foundation has been lost, the intention of the original founders must be inferred, as well as it can be, by the practice which has regulated the proceedings of the charity. In the present case, no such document exists in the shape of any will or deed or charter; but the only document or instrument of foundation which exists, from whence the conclusions which are to govern this question are to be drawn, consists of the Report of the proceedings of certain persons, assembled at a meeting held on the 22nd of February, 1786, and printed and distributed by the authority of the meeting, and authenticated by the signature of the Chairman.

In order fully to understand and appreciate its character and effect, it is necessary to refer to the circumstances which gave rise to it. In July, 1754, an Academy had been founded for the education of youth belonging to the class of religious denominations of English Presbyterian Protestant Dissenters. It was established at Warrington, in Lancashire, as a temporary settlement, where it was carried on for some years, but was discontinued in the early part of 1783. Some attempts were made to revive it in 1784 and 1785, which failed of effect; and on the 7th of February, 1786, forty-five gentlemen signed and presented an Address to the Rev. Dr. Barnes and the Rev. Mr. Harrison, two gentlemen of distinction residing at Manchester, and belonging to the class of Dissenters I have mentioned. In this Address, the gentlemen whose names were subscribed to it, after lamenting the dissolution of the Warrington Academy, and their persuasion that an institution on the same liberal principles might be established at Manchester, united in requesting Dr. Barnes and Mr. Harrison to engage in this undertaking, and to give their final decision at the meeting to be held on the 22nd of February then instant. Accordingly, at the meeting so held, Dr. Barnes and Mr. Harrison delivered an Answer in writing to this Address, in which, after stating that they had mutually considered the proposal, and they were persuaded there was much need of such an institution in that part of England, they expressed themselves willing to devote their abilities to a service so nearly connected with the interests of Learning, of Virtue, and of Religion. The meeting thereupon passed certain resolutions, which, together with the Address to Dr. Barnes and Mr. Harrison, and the Answer of those gentlemen, is set forth in this Report. The Report itself is of this character: It opens with a statement of the agreement to establish an Academy in Manchester, and the object of the institution; it then states, in the three following sections, the reasons for placing it at Manchester. It then proceeds to set forth seventeen resolutions framed for the constitution and regulation of the institution. These appear to me to be three separate and distinct portions of the Report. The first paragraph states the object to be, the establish-

ment of an Academy on a plan affording a full and systematic course of education for divines, and preparatory instruction for the other learned professions, as well as for civil and commercial life; and it states that it would be opened for young men of every religious denomination, from whom no test or confession of faith would be required. I think it desirable to read the exact words from the Report itself:—"A very respectable meeting of Gentlemen was held this 22nd day of February, 1786, when it was unanimously agreed, after due deliberation, that an Academy should be established in Manchester, on a plan affording a full and systematic Course of Education for Divines, and preparatory instructions for the other learned Professions, as well as for Civil and Commercial life. This Institution will be opened to young men of every religious denomination, from whom no test, or confession of faith, will be required. In support of its expediency, and even necessity, in this part of England, it may be urged —." Notwithstanding that this is the statement of an agreement that an Academy should be established at Manchester, the passages I am about next to refer to, lead me to the conclusion that there were two distinct things in the minds of the founders at this time;—first, the establishment of the Academy; and secondly, the place where it was to be situated. The object was universal, and the primary part of which seems to have been to afford a systematic course of education for divines, and a secondary part of it to afford preparatory instruction for the other learned professions, as well as for civil and commercial life; and the whole institution was especially devoted for the purpose of affording these advantages to the class or denomination of persons commonly called English Presbyterian Protestant Dissenters.

The next question was, where it was to be placed? The reasons for placing it at Manchester are these: "First, that no place of education for youth, on the liberal and extensive plan proposed, subsists within the distance of more than a hundred miles; that the great populousness of this vicinage, the opulence of its inhabitants, the number and respectability of the Dissenters, and the increasing taste for learning, insure both adequate support and a constant succession of pupils. Second, that the town is remarkable for a well-regulated police, and for a serious attention to the duties of public worship; and that the industry, ingenuity, and enterprising spirit which characterise the people, cannot fail to influence by example, and may catch the minds of youth by a secret and powerful sympathy: that Manchester contains one of the largest public libraries in the kingdom, to which access may be had at stated times: that the Literary and Philosophical Society have avowed a generous zeal 'to foster rising genius, to incite emulation, and to give energy to the powers of the human mind, by calling them forth into early exertion;' and that it may be presumed they will admit the senior Academics to attend their more instructive discussions: that another institution, established here, may furnish opportunities of acquiring both the practical and theoretic knowledge of Chemistry, Anatomy, Physiology, and other branches of science, to which Students of Medicine may superadd attendance on the Hospital: that able Masters in French, Italian, Music, Writing, Drawing, and Merchants Accompts, are settled in the town: and that these several means of improvement lie within so small a compass, as to be perfectly compatible with each other."

The third reason is, that Dr. Barnes and Mr. Harrison had been induced to undertake the conduct of the Academy; and in this section are then set forth the Address to those gentlemen and their written Answer, to which I have already referred.

The reasons here given for selecting Manchester as the spot where it was to be placed, appear to me to point not to the conferring of a benefit on that town, or even on that district; but because the establishment of it in Manchester, or in that neighbourhood, would conduce much to the success of the institution. Thus, the reasons stated in the first section are, that as there is no such establishment within one hundred miles, and as there are many Dissenters inhabiting that neighbourhood, adequate support and a constant succession of pupils may be expected; that is, the support of the Academy, not the benefit of the neighbourhood, is the leading motive here expressed. The second section is still stronger: the police, the character of the inhabitants, the facilities afforded for the acquisition of literary attainments and scientific knowledge, and of modern languages, are all selected as shewing the advantages which the institution itself would derive from the neighbourhood, but none of them shew any intention to benefit the neighbourhood by the establishment of the institution in that spot or in that vicinity. The third reason is also obviously, as I think, pointed in the same direction. To insure the success of such an Academy, it was above all things essential to secure the assistance of eminent Presbyterian divines in conducting the institution. Dr. Barnes and Mr. Harrison were well fitted for this purpose: but these gentlemen resided at Manchester; and in order to insure their co-operation, the Academy must be brought to them; and consequently their assistance is mentioned in the third section, as strongly supporting the expediency of establishing the institution in that part of England. And this reason, so urged, is the more important, because it is impossible to read the history of this institution and not to observe that its success has mainly depended, and must probably hereafter mainly depend, upon the peculiar fitness and competence of the gentlemen who may be selected as the head of the establishment to conduct the religious instruction. It is urged with truth, that the universality of the object of the charity does not prevent the benefit of some particular place or neighbourhood being a leading object of the institution,—as, for instance, the foundation of a grammar-school, which may be accessible to all persons; though even in these cases there are usually local advantages conferred upon persons residing in the immediate neighbourhood which mark its object. But here, besides the universality of the object,—which is plainly intended for the benefit of the whole kingdom, so far as the training of persons for the sacred ministry is concerned, and besides the absence of all local advantages to persons residing in the neighbourhood,—the place where it is situated is referred to only as a means for securing the success of the undertaking.

Up to this point, therefore, of the Report, I am of opinion that the object expressed by the founders of the charity, was the establishment of an Academy for affording a full and systematic course of education as above described, and that the establishment of it in Manchester was but an accessory only, because that place was considered most favourable to the undertaking.

The rest of the Report must be examined in order to ascertain whether it alters the conclusion drawn from the portion on which I have

commented. This consists of the seventeen resolutions come to for the purpose of constituting and managing the institution. The 1st states that this is an attempt to establish a Seminary of Learning similar in its objects and in its plans to the late Warrington Academy. This does not go far, because it uses the word *similar* only; but as far as it has any reference to the subject before me, it is favourable to the case of the petitioners, inasmuch as it is certain that the Warrington Academy, although founded to provide like instruction, was not limited to any particular situation. The next six resolutions have no bearing on the subject. The 8th provides for the annual appointment of a Committee at a general meeting of the Trustees, to be held at Manchester, on the Wednesday after the anniversary of the institution. The 9th appoints the first Committee. The 10th defines a Trustee. The 11th provides for the remuneration only of Dr. Barnes and Mr. Harrison. The 12th authorizes the Committee to obtain subscriptions for the establishment and support of the institution, calling it by the name of the Manchester Academy. The 13th provides for making application for assistance to further the object of the institution. The 14th provides for the erection of suitable buildings; and the 15th is in these words: "That these Constitutions and Regulations shall not be alterable, but by a majority of votes, taken by ballot, at the annual meeting of the Trustees: and that, after the experience of three years, they shall undergo a due revisal, and then be established into a code of laws, not alterable but by the votes of three-fourths of the Trustees present at their annual meeting." The 16th approves of a similar institution in the neighbourhood of London; and the 17th, and last, requests the Committee "to announce to the public the institution of this Academy, and to print and distribute a Report of the proceedings of the present meeting, authenticated by the signature of the Chairman,"—which was accordingly done in the document I am now considering.

The only two circumstances in these resolutions which appear to militate against the conclusion I have come to on the former part of the Report, are, that in the 8th, the annual general meetings are directed to be held at Manchester; and that in the 12th, the institution is termed the Manchester Academy. The former is, in my opinion, a trifling circumstance. It was obvious that the general meetings must be held in some appointed place; and the circumstance of appointing Manchester for that purpose, does not, in my opinion, fix it irrevocably to that spot. The name Manchester Academy is more important; but this is not sufficient to control what, in my opinion, is the conclusion to which the rest of the Report leads. Assuming that Manchester and its vicinity was not intended to be specially benefitted above other parts of the kingdom, it would still have been necessary to give the institution a name. The obvious and best name that could be selected would be to designate it by the place where it was situated, even though it were intended to establish it there only temporarily. Thus the Academy at Warrington was called the Warrington Academy, although it was unequivocally placed there as a temporary settlement only; but the effect of these expressions, even if they were more conclusive than they appear to me to be, would be neutralized by the 15th resolution, which provides for the alteration by the Trustees of these very Resolutions and Constitutions, as they are termed,—the meaning of which I understand to be this, that the original scope and object of the institution,—vide—

liet, the providing a systematic course of education as above described,—is not to be altered, and that the Constitutions and Resolutions carrying that object into effect are (subject to the restrictions imposed by this 15th resolution) liable to alteration by the Trustees in such manner as they shall consider most conducive to the main scope and object of the original design. And by a subsequent resolution, passed on the 11th May, 1786, it was “resolved, that if from unforeseen causes this institution shall, in the opinion of the Trustees present at two successive meetings formally convened, with an interval of at least fourteen days, cease to answer the valuable purposes for which it has been established, the remaining property shall be divided amongst the benefactors and their legal representatives, in proportion to their benefactions, provided the same be claimed within one year after such determination of the Trustees.”

The result, therefore, to which I have come upon the examination of this Report—the only instrument of foundation—is, that the place of the institution at Manchester was not one of the main fundamental objects of the charity, but that it was accessory only and subservient to the carrying into effect that which is expressed to be its main scope and object.

The subsequent course of proceeding and practice of the institution confirm my opinion thereon from the document on which I have commented. Thus, on the retirement of Dr. Barnes, a general meeting of the Trustees was summoned for July, 1797, to consider whether the Seminary should be continued after the then existing circumstances beyond Midsummer, 1798, or whether the funds could be applied more advantageously in any other situation. It is obvious that the Committee who called that meeting considered that, consistently with the original object of the institution, the funds might be advantageously applied for the same purpose in a situation other than that of Manchester. After some discussion, and under the superintendence of the Rev. George Walker, the institution was continued at Manchester till 1803, when Mr. Walker resigned. The same difficulty was again felt in getting a proper person to conduct the establishment, and much discussion took place, which finally led to its removal to York, in order that by this means the superintendence of the Rev. Mr. Wellbeloved, who resided in that city, might be obtained. At this time, being about sixteen years after the original foundation of the institution, many of the original Subscribers and Trustees must have been alive; and yet it is impossible to read the documents which shew the discussions which occurred as to the places to which the institution might be removed, and the resolutions passed, without coming to the conclusion that, at least in the estimation of the then existing Trustees, the leading object of the institution was the education of young men for the sacred ministry, and that the spot where the institution was to be placed was but a secondary and subordinate consideration. Accordingly, the propriety of selecting Birmingham, Leeds or York, was discussed, solely with a view of ascertaining which of those places would best promote the design of the institution; and it is manifest, that so important was it considered for the success of the charity to procure the services of some eminent divine, that the attainment of that object would, in the opinion of the then existing Trustees, have justified the removal of the Academy to any part of the kingdom. It was with this view that the removal took place to York.

At York it seems to have flourished much, under the care of the Rev. Mr. Wellbeloved, and acquired some valuable property. On the retirement of that gentleman, in 1839, the Academy was brought back to Manchester, not, as it appears to me, with any view of rectifying a breach of trust supposed to have been occasioned by its transfer to York, but because it was considered by the majority of the Trustees, after considerable doubt and discussion, that it would flourish best in that neighbourhood. This practice was consistent with what I believe, from the documents before me, to have been the original design of the institution,—which, I again repeat, and which should always be borne in mind, was to train young men of the denomination of Dissenters to the sacred ministry; and it is my opinion that the selection of any situation, and the adoption of any course of instruction that would best accomplish that end, was within the powers confided to the Trustees for the time being by the original founders.

It follows, therefore, that in my opinion it is in the power of the Trustees, without any breach of duty, to transfer this institution from time to time to such places as shall in their opinion, fairly and reasonably exercised after due investigation, be best calculated to further the object for which it was founded. The case has not been argued before me on the ground that the transfer to London is a corrupt exercise of that power by the Trustees, nor could it on the existing facts have been so argued. The Trustees have, in my opinion, a discretion reposed in them which it is their duty to exercise in the manner they consider to be most advantageous to this institution; and although this Court might interfere to restrain a corrupt or plainly self-destructive exercise of that discretion, no such case is laid before me. Both the petitioners and the respondents have been, as I believe, actuated by a *bond-fide* desire to discharge their duty in the course they have adopted. I abstain, therefore, from expressing any opinion as to the propriety of the course which the Trustees propose to take. It is obvious that they have or can procure better means of judging of that subject than the Court could do, even if that point were properly before it; and it is also clear that a large majority of the Trustees actively approve of the proposed transfer, and that only three or four actively disapprove of it. That question, however, I repeat, does not come before me. All that I decide is, that the course which the Trustees propose to adopt lies within the scope of their power and authority, and that it is consistent with the original object for which the charity was founded, and that, in taking this course, they appear to me to be animated by a sincere desire properly to discharge the duties reposed in them.

I propose, therefore, to dispose of the present petition by making a declaration to this effect,—*videlicet*, that it is consistent with the original scope and object of this institution that the same should be transferred to London, or to such other place as, in the opinion of the majority of the Trustees for the time being, shall be best calculated to advance the objects and design of the institution; and that it is in the power of the majority of the Trustees for the time being to transfer the same accordingly, and to apply the rents, interest and income of the property held in trust for the said institution, according to the direction of the Committee of Management, notwithstanding such transfer.

Probably this declaration will be sufficient to induce Mr. William Rayner Wood not to offer any impediment to paying over the income

which he and the other Trustees receive, as he has been used to do, according to the direction of the Committee appointed by the Trustees; but if desired, and if it be considered to be any indemnity to him and the other Trustees of that property, I will make an order to that effect.

This was, in my opinion, a proper question to be submitted to the decision of the Court; and I am of opinion, therefore, that the costs, both of the petitioners and of the respondents, as between solicitor and client, should be paid out of the funds of the charity; but they must be paid out of the income, and not out of the capital belonging to it.

Mr. JAMES.—Your Honour will perhaps be good enough to give the Registrar a copy of the declaration which you read.

The MASTER OF THE ROLLS.—Yes, I will. If there is any suggestion that you can make as to the alteration of the wording of it, I shall be happy to hear it. I have expressed the object of it.

Mr. R. PALMER.—My client does not desire me to make any. Mr. Wood will act in conformity with the opinion of the Court.

The MASTER OF THE ROLLS.—I take for granted he will, considering the course he has taken. He seems to have acted only with a sincere desire to have a question of some nicety determined.

Mr. R. PALMER.—The application of the income in the manner your Honour has declared, would be a perfect indemnity to him. I suppose the costs will be as between solicitor and client.

The MASTER OF THE ROLLS.—I so stated.

Mr. R. PALMER.—There were some costs and expenses as to an information. It being proposed there should be an information, some costs were incurred; but it was arranged, with the approbation of the Attorney-General, that the whole matter should be brought before your Honour. There was an information about to be filed in the same matter of the Manchester College, and the Attorney-General recommended, without deciding whether the information should or should not proceed under other circumstances, that the whole matter should be brought before your Honour in the matter of this petition.

The MASTER OF THE ROLLS.—I think it would be proper to allow the costs of that.

Mr. R. PALMER.—Yes.

The MASTER OF THE ROLLS.—It did not go further, I suppose, than either filing the petition or merely preparing it.

Mr. R. PALMER.—It was not filed; it was merely prepared.

The MASTER OF THE ROLLS.—Of course, if that is objected to, I will hear the objection; but if not, it appears to me to be a proper thing to do.

Mr. Wood has, since the delivery of the Judgment by the Master of the Rolls, addressed the following letter to the Trustees of Manchester New College:

Gentlemen,—I have done my best to protect the property of Manchester College for the objects to which I believe that it rightfully belongs. My efforts have been unavailing, and your College will be removed from the district where it has now been maintained for a hundred years, to the advancement, as I believe, of Truth and Learning, and in support of the principles of Civil and Religious Liberty. With the change in the locality of the College its management passes into new hands.

I shall now turn my attention to other objects, with the satisfaction of feeling that, whatever may be the fate of your institution, I have discharged

my duty. If Manchester College should cease to realize the valuable objects which it has long fulfilled, I know, at least, that this will not arise from any neglect or failure on my part. In the maintenance and defence of its interests, I have spared no labour, and shrunk from no responsibility. At the sacrifice of all personal considerations, its welfare has been the guide of my conduct, alike when cheered by your approval and confidence, and when subjected to unmerited obloquy and misrepresentation.

The long connection which has existed between members of my family and your affairs, is now terminated. I look back to the results of that connection with pleasure, and to those hereditary and personal friends with whom, in the conduct of these affairs, I have long enjoyed the pleasures of intercourse on subjects of common interest, I respectfully say farewell.

I remain, Gentlemen, your obedient Servant,

WM. RAYNER WOOD.

Singleton Lodge, near Manchester, April 14, 1853.

The settlement of this suit, in so short a time, must be matter of congratulation to all the friends of the College. As the question of the legality of the removal of the institution from Manchester had been raised, and as a very strong opinion of the illegality, signed by two eminent Chancery barristers, was known to be in existence, nothing but some proceeding like that adopted by the Trustees could have removed the feeling of insecurity and uncertainty. Conducted as the suit was on both sides, without asperity, and with moderation and gentlemanly propriety, it will leave no sting behind it; and we see no reason why *all* the friends of the College may not cordially unite in following the only course now open to them, of removing the institution to London in connection with University College, and accepting the co-operation and assistance of the Council of University Hall. The remarks made by the Master of the Rolls with respect to the perfect propriety of the course pursued by Mr. W. R. Wood, will, we trust, entirely remove from the minds of his former colleagues any feeling of irritation that may have existed. The moment the legality of the removal was declared, Mr. Wood, by his counsel, expressed his readiness to act in conformity with the opinion of the Court, and the Master of the Rolls expressed his opinion that Mr. Wood had "acted only with a sincere desire to have a question of some nicety determined." The decision respecting the costs tends to the same conclusion, and shews that, in the opinion of the Court, both Mr. Wood and the Trustees were right in their several positions, and, with their conflicting opinions respecting both the legality and the expediency of a removal to London, in resorting to a Court of Equity. It is to us also matter of satisfaction that the Master of the Rolls did not see it necessary to bring into operation that part of the prayer of the petition, which hypothetically asked his Honour to devise a scheme for the future conduct of the institution. Far better is it that the interests of the College should be hereafter, as they have been hitherto, watched over by those who take the deepest personal interest in its success—who are best acquainted with the wants of the religious body whom they represent—and who, even if they err in judgment, will be better able than Masters of Chancery to retrieve the fault.

We presume that the Special Committee, appointed in December to make the requisite arrangements, will now lose no time in reporting the result of their deliberations to the general body of the Trustees; and that, at the beginning of the session 1853-54, our students for the ministry will be required to resort to MANCHESTER COLLEGE, LONDON.

INTELLIGENCE.

MINISTERS' BENEVOLENT SOCIETY.

To the Editor of the Christian Reformer.

My dear Sir,—I have been requested to furnish you with a short account of a journey which Mr. Frederick Russell and myself lately took on behalf of the Ministers' Benevolent Society.

The Committee of that Society hearing that I had engaged to attend a meeting of the Southern Unitarian Fund Association, on Good Friday last, requested Mr. Russell to accompany me, and also desired us to visit such congregations in that part of England as might be willing to receive us. The professed objects of this deputation were to explain the nature of the Society, and to answer any objections to its constitution which might be offered.

We started from home on Wednesday, March 23, and proceeded to Chichester. We there waited both upon the Rev. J. Fullagar and the Rev. J. Hill, and were introduced to some active supporters of Unitarianism in that place. From Chichester we went to Portsmouth; and on the Thursday night, after I had discharged the pleasing duty of conducting the celebration of the Lord's Supper in the High-Street chapel, we met a considerable company in the school-room adjoining the chapel. The chair was taken by the Rev. H. Hawkes, and the merits of our Society were freely stated and discussed. Good Friday we spent at Newport, in the Isle of Wight, the whole day being mainly devoted to the interests of the Southern Unitarian Fund; but both at the meeting held immediately after the morning service and at the dinner in the afternoon, we introduced and pressed the subject of our visit. As there were present friends from various other congregations in the neighbourhood, we think some importance may be attached to the impression which then appeared to be made. Our next destination was Bridport; but in passing from the Isle of Wight, we remained at Southampton for a short time, on the Saturday, in order to see if anything could be done to further our purpose in that town. On Sunday, March 29, we availed ourselves of an opportunity of addressing the members of the Rev. Mr. Short's congregation at Bridport. The meeting was held in the chapel, at the close of the morning service, and

was attended by all the persons present at that service. From Bridport we proceeded through Exeter, Taunton and Bridgewater, to Bristol, arranging for visits which we subsequently paid to three of those places. On the Saturday we had a very gratifying conference with the Rev. Jerom Murch, at Bath, and, as we believe, laid the foundation for some effort in our favour there. In the afternoon of Sunday, April 3, we held a meeting at Exeter; and on the Monday evening, a similar one was held at Taunton. Our work was concluded by another meeting, on Tuesday night, in the upper school-room connected with Lewin's Mead chapel, Bristol. Besides attending the meetings I have specified, we had numerous interviews with private individuals throughout the whole course of our route.

We were invariably received with great kindness, and the most marked attention was paid to our statements. Though we made no attempt to collect money, but confined ourselves to the purpose of exciting a general interest in the scheme we had to recommend, our journey may be considered to have been a successful one, even in a pecuniary point of view.

As to the answering of objections, we had very little work of that kind to do; for we generally found that when we had given the explanations which were requested from us, the objections that might previously have existed were removed. We had sometimes to point out the distinction between our Society and an endowment-fund for increasing the salaries of ministers,—the fund in the present case being confined to the relief of ministers or their families in the two contingencies of superannuation and death. At other times, we had to shew that the relief applicable to these contingencies could not be brought within any insurance calculations, and must, therefore, be met by such an apportionment of income as our Society contemplates. When it was urged that the charitable nature of the Society was an objectionable feature belonging to it, it was easy to point out that the circumstances to which it referred absolutely required the exercise of charity, and that the established provision for this exercise which was thus made, was far preferable to applications for assistance in individual

cases, on which dependence must otherwise be placed. Perhaps the question we found most frequently mooted, was that of the equal right of all claimants to the same amount of benefit. With this question it is somewhat difficult to deal, in the present state of the Society. The low rate of subscription demanded from the claimants is expressly adapted to the relief of cases of distress only; and if nothing beyond that be provided for, it would be manifestly improper to apply the funds to cases that do not come under this category. If, however, by the liberal contributions of the laity in our churches, the income at the disposal of the Committee will allow of such an extension of the principle of the Society, in consistency with the satisfaction of the wants originally regarded, it is clear that all cases of claim may be equally dealt with.

Permit me to say, in conclusion, that one of the chief inducements I had toward joining Mr. Russell in the undertaking I have described, was a deep conviction that if our congregations can be induced to enter heartily into the support of this Ministers' Benevolent Society, their efficient action toward all other legitimate purposes will be largely promoted. The Unitarian Association has been hitherto the only institution which has called forth united operation among us; and to add another institution, possessing the same general interest, to that, will be to give an additional occasion for the expression of what life there is in us. I am persuaded that more may be done through the indirect influence of this Society toward increasing the salaries of our ministers, than can be effected by any measures having that end directly in view; and that the improvement thus produced will be of a far more healthy character than that which arises from the application of foreign aid.

I am, yours faithfully,

JOHN GORDON.

Coventry, April 14, 1853.

THE GOVERNMENT EDUCATION BILL.

Lord John Russell, in asking leave to introduce this Bill, included in his speech two other subjects, connected indeed with Education, but not with schools for the working-class population; and which are to form the material of two other separate Bills. These are the restoration of Educational Cha-

rities to their proper purposes, and University Reform. We confine ourselves to the provisions of the School Bill now brought in and printed. It might be simply described as a Bill to permit Town Councils to lay local rates within their boroughs in aid of schools recognized by the Committee of Council on Education. It is no more, no less, than this. It is the *Manchester and Salford plan*, permitted in corporate boroughs, but not compulsory even there, unavailable elsewhere. It is a measure of small extent indeed. Those who deem it valuable look upon it rather as a beginning of the end, a step in the right direction, the admission of the principle of a local educational rate, than as any great advance considered in itself. The "Voluntaries," if they did not anticipate further measures to ensue upon it, might well afford to laugh at this. A Town Council *may* adopt the provisions of the Bill, on resolution of two-thirds of their body; but every one who knows what Town-councillors are in their relation to their constituencies, must see the probability that Voluntaryism, Non-centralization, Anti-State-education feelings, and the popular cry of Economy, will leave little chance, in most cases, of two-thirds of the Town Council resolving in favour of adopting the self-taxing power. For, be it observed, this local self-taxing power is not proposed in lieu of general taxation, but as purely additional. The Committee of Council on Education retain all their functions, and propose a much larger expenditure in future; and the municipality that assumes the powers conferred by this new Bill, would tax itself in addition to its share in this common burden. Manchester might, perhaps, be generous enough to go beyond her own proposal in this respect; but municipalities in general would probably demur, to the extent of the negative one-third of the Council, at any rate. A Council adopting the Bill, however, would be thenceforth authorized to appoint annually an Education Committee, half of which might consist of members not in the Town Council; and through this Committee the produce of the borough-rate would be distributed to the managers of the various schools recognized by the Committee of Council, and to no others. The Educational borough-rate is to be limited to sixpence in the pound per annum. Such is the sum and substance of the plan. There is no proposal for reformatory schools for the

dangerous and neglected classes; and Lord John Russell has since avowed that the Government have no intentions in reference to such schools. There is no progress made in facilitating the erection of schools in the poorest and most neglected districts, in which districts the Council of Education have full power now to do whatever they find wanting; but have deliberately tied their own hands by a resolution to give aid in proportion to the wealth available on the spot.

Lord John Russell very strongly, and we think needlessly, in his speech, repeated his adhesion to the sectarian principle of school-keeping, and went out of his way to reprobate the secular system as irreligious. Now this secular, or unsectarian, or collective mode of education, is no new thing, and ought to be sustained against the idle clamour which the newer sectarian education has raised against it. It is the very plan on which, as regards religious instruction, Lancaster worked; and from which the British and Foreign School Society have only of late, and still not very widely, departed. It is the very plan on which the children of the upper classes now meet together in good secular day-schools, without being suspected of being irreligiously brought up. But the sects have recently taken up Education as their means of proselytism, and the Council of Education has weakly yielded to their cry, instead of controlling it. So we have now the spectacle of a Government department of Education making concessions to every sect in turn, in the vain desire of pleasing all: and we have the most favoured sect whimpering and bullying like a spoiled child, and the stiff Voluntaries indignant and irreconcilable. Is the time hopelessly gone by, when the Council of Education might simplify its own work, by confining its inspection to the secular department of each school, and leaving the religious arrangements simply uninterfered with, instead of enjoining them as a condition of giving assistance to the school? They are now in this predicament: they will assist no school unless special religious instruction be given in it;—the Town Councils, by this new Bill, may assist no school but those recognized by the Committee of Council on Education;—but, by this same Bill, every child in such schools *has perfect liberty to be withdrawn by his parents from the special religious instruction given!* Would

not the last provision have been enough without the others?

We have often expressed the belief that the Committee of Council might do a great deal more good in a far simpler manner; and to that opinion we adhere. The best thing they have done yet, we believe, is (indeed a good thing!), to have produced within the last few years a set of well-qualified teachers and assistants. This is a work worthy of a Government, and difficult of accomplishment by any other means.

UNITARIAN CHRISTIAN CONGREGATION,
NEWCASTLE-UPON-TYNE.

The principles of the Reformation early found favour in this town. It was for some years the residence of Knox and other devoted advocates of Protestantism. No wonder that Nonconformity found here many adherents. Among the earliest gatherings into congregational order, ranks the society to which the Rev. William Durant, M.A., was the first minister. Ejected from the church of All Saints on the memorable St. Bartholomew's Day, 1662, he desisted not from gospel labour, and, aided by others who, like himself, sacrificed worldly emolument for free conscience, laid the foundation of the first Nonconformist congregation in Newcastle. The Rev. Dr. Gilpin, refusing the bishopric of Carlisle, became his successor in this ministry. The meeting-house was built outside the walls of the town; and there the society worshiped till, in 1727, they removed to their new building in Haver Square. Served by a succession of eminent and faithful men, amongst the foremost of whom should be named the Rev. Benjamin Bennett and the Rev. William Turner, the latter ministering for sixty years, this congregation has from its origin upheld the distinctive principles of Protestantism, and carried onward the work of Education. Change and decay are ever working also. In the numerous alterations, improvements, and extension of the town far beyond the limits of its ancient walls, the chapel, from having occupied the best locality, became situated in one of the worst. The school-rooms were inadequate to the necessities of the times. Education, Protestant Dissent, Christian truth, suffered injury and loss. The only efficient remedy for these evils was to remove, select and occupy other position, and build, as their forefathers had done in their

time, on more commodious site. In 1847, the congregation affirmed the desirability of thus acting. Subscriptions were entered into, donations received, and the property advertised for sale. Sale could not be effected. Instalments of promised subscriptions were, however, called for, and a considerable amount from time to time collected. At the close of 1850, offers to purchase were received and entertained, plans prepared, detailed and adopted. Difficulties as to legality of sale were mooted, and whether valid title could be given to a purchaser, and Trustees exonerated from all responsibility. Opinion of counsel was taken. Legal order and title could be obtained, it was believed, under petition to the Court of Chancery, 52 Geo. III. c. 101. The congregation resolved on this course, the Building and Chapel Committee carried it forward, the minister, the Rev. George Harris, supplying the facts, and conducting the correspondence with Sharpe, Field and Co., Solicitors, London. Petition approved by the Attorney-General, presented June 30, heard July 30 and November 3, and its every prayer sanctioned by the Master of the Rolls, November 6, 1852. The contracts for site with the Corporation of Newcastle, and for the buildings, to comfortably accommodate 650 adults, and the schools nearly 400 children, were also approved by the Court. The structure is to be of stone, and in the Gothic style of architecture. The building will be designated, "*The Church of the Divine Unity*," as combining in this title the primary principle of both Natural and Revealed Religion, only consistently and thoroughly maintained among professing Christians by Unitarian worshippers of God, even the Father.

Considerable expenditure has been incurred in this vindication of congregational privilege, this obtaining of legal recognition of the civil rights of Protestant Dissent. In the last few years the congregation has sustained very great deprivations through the emigration and death of many of its members,—these losses to be counted by hundreds. They have had, therefore, to appeal to friends at a distance for help towards the accomplishment of an object so essential to congregational welfare and prosperity. Willing ever to help others, the help of others has in this emergency been sought, that Christian truth may have free course and be glorified. That help has not

been, will not be, sought in vain from those who desire the sustainment of Christian effort, the diffusion of education, the maintenance of Christian truth and liberty.

The foundation-stone of the Church of the Divine Unity, and Schools for the Day and Sunday instruction of boys and girls, was laid on Wednesday, April 20. The day was beautiful. Many hundreds of people were on the ground before the appointed hour, three o'clock, among whom were members of various Christian denominations. The children of the schools supported by the congregation were also present. The Rev. George Harris began the solemn and joyous service by giving out the hymn for the occasion, copies of which had been distributed: all present joined in singing it. Portions of Scripture were then read and prayer offered. The inscription on the parchment to be deposited on the stone having been read by Mr. Harris, T. M. Greenhow, Esq., on behalf of the congregation, in brief address setting forth their objects in the work, and the distinctive principles of the religious society whose church they were founding, presented the trowel to Ivie Mackie, Esq., of Manchester, who had been invited to lay the stone. The bottle containing the parchment description of the building, the various silver coinage of the present reign, newspapers, local and London, with pamphlets, was placed in the cavity prepared for it, and the stone lowered to its place, at the south-west corner. Mr. Mackie addressed the meeting in forcible and impressive sentences, declaring the foundation rightly laid and invoking the Divine blessing on the work. The Rev. J. R. Beard, D.D., of Manchester, standing on the stone, delivered an admirable dedicatory Address, pointing out the principles of Protestant Dissent and Christian Truth cherished by the society, the worship to be offered within the walls of the church, the educational blessings to be spread, the training up for immortality by faithful practice of duty, which Christian union designed to accomplish. Mr. Harris followed by prayer and benediction. The stillness of the assembled crowd, the manifest interest shewn in the entire proceedings, the earnestness with which all joined in worship, the gratulations exchanged afterwards, were pleasing proofs of respectful sympathy, of Christian devotedness.

In the evening, a tea-party of the

members and friends of the congregation was held in the Assembly-rooms. A crowded assemblage gathered, numbering between three and four hundred, many individuals of other religious communions being present. Mr. Harris presided. The sentiments given from the chair had reference to the great principles and objects of this Christian church, and were spoken to very ably by Revds. Dr. Beard, H. V. Palmer, of York, and Ivie Mackie, Esq. A resolution in emphatic protest of Slavery in America, unanimously expressed the feeling of the congregation. Music added to the pleasure of the evening. The Rev. J. Naylor, of Malton, closed a most interesting, delightful, joyous and Christian meeting with prayer.

TRIBUTE OF RESPECT TO REV. WILLIAM GASKELL, M.A., MANCHESTER.

A numerous meeting of members of Cross-Street chapel was held in the large room of the Lower Mosley-Street schools on the afternoon of Wednesday, April 20, at three o'clock, many ladies and gentlemen being present.

Dr. ASHTON, having been called to the chair and stated the object of the meeting, went on to remark, that Cross-Street chapel had existed as a place of worship for nearly two centuries, and had not been without an influence over even the general character and history of Manchester. Many of those who attended it, both in former and more recent, as well as in present times, had done much for the moral advancement of the town, and had left to their fellow-citizens enduring mementos of their energy and zeal. The ministers who had officiated there had laboured earnestly in the cause of an enlightened Christianity, and always shewn themselves foremost in the advocacy of a wise and liberal philanthropy; and he could not but believe that their exertions had had a success extending far beyond the locality in which they were displayed. The present testimonial to Mr. Gaskell spoke more than words the sentiments of those who presented it, and embodied them, as it were, in a more enduring form. It was, indeed, the voluntary and unsolicited gift of the subscribers, contributed in sums not exceeding a limited amount from each, and restricted to members of the congregation, so as to be as much as possible a general expression of their feeling. He concluded by presenting,

in the name and on behalf of the assembly, the testimonial before him. This consisted of a very handsome silver salver, coffee and tea service (which were tastefully contrasted by a rich profusion of flowers in full bloom, provided by the kindness of N. Heald, Esq.), and bore the following inscription: "Presented to the Rev. WILLIAM GASKELL, M.A., by Members of Cross-Street Chapel, Manchester, in grateful remembrance of his Ministerial Services during Twenty-five years, and as a Tribute of their Respect and Affection. 20 April, 1853."

N. Heald, Esq., most cordially joined in the very appropriate remarks of the Chairman, and expressed his strong sentiments of esteem and regard for Mr. Gaskell, and the value which he set on his and Mr. Robberds' ministerial services. Similar expressions of kind feeling and regard having been given by H. J. Leppoe, Esq., S. Schwabe, Esq., and Mr. George Wadsworth,

The Rev. WM. GASKELL said, that his friends would not be surprised if he felt disqualified, by their very great kindness, to acknowledge it in a suitable manner. Valuable as the present he had just received was in itself, it had for him a value far beyond any money value whatever, as a token of their regard, which would make him prize it so long as he lived. Nothing connected with it could be more gratifying to him than to be assured, as he had been, of the readiness with which all classes in the congregation had joined in contributing to it; and he could truly say that the good wishes which had been expressed by some who were too poor to do this, were as dear to him as if they had been put into this form. After taking a brief retrospect of the five-and-twenty years which would soon have elapsed since as a young man—too young—he entered on his ministry, and acknowledging the kindness which had been uniformly shewn to him in it, both by the congregation and his respected colleague, he trusted that, if he could not bring quite the same freshness to his work as he did then, he brought to it greater knowledge, greater experience, and, he would fain hope, greater earnestness and greater ability, to take part in those philanthropic efforts to which reference had been made by the Chairman. He then spoke of the beautiful adaptation which he had found in the faith that it was his privilege to recommend, to the varying wants of humanity, and

the proofs which he had had of its sustaining and strengthening power in the chamber of sickness, by the bed of the dying and in the house of mourning. Many of those, he said, who first welcomed him to his place among them had been called away; but it was a satisfaction to him to find that he had not forfeited the esteem of those whom they had left as their representatives on earth. It was probable that, in consequence of the contemplated removal of Manchester New College to London, his duties in connection with it as a Professor would terminate with the present session; and he might look forward to being then able to devote himself more freely and uninterruptedly to the labours of his ministerial office. He concluded by warmly reciprocating the kind feelings which had been manifested towards him by his friends, which he trusted nothing would ever occur to change, and by praying that, so long as the connection established between them continued, it might be made increasingly fruitful in good.

The Rev. J. G. ROBBERDS scarcely expected that he should have been called upon to take any part in the present interesting proceedings, but supposed that, as they had been accustomed to see him associated with his colleague on other occasions, they expected him to act with him also on this. He had experienced very great satisfaction and pleasure in listening to the sentiments of esteem and affection which had been expressed towards one for whom he had always felt the same, and with whom he had never had a difference of opinion or cause of disagreement. He did not know whether the idea of this testimonial had originated with any of his German friends, but it reminded him of a beautiful German custom—that of celebrating the 25th anniversary of a marriage-day under the name of a silver wedding; and as they went further, and distinguished the 50th like anniversary as a golden one, so (though he himself and others present might not see it) he could not but hope that there would be occasion for a similar extension of the present proceedings. After some other observations, he referred to a work which he had just been reading, by Chevalier Bunsen, and where he had met with one thing which he would recommend to their attentive consideration. It was there shewn that in the early period of Christianity every mem-

ber of the Christian church had some particular office in it—not, as now, leaving everything to their ministers, as if they themselves had nothing else to do beyond idly attending upon their preaching. He thought it would be greatly to the benefit of all if they were to revive this ancient practice, and every one of them to engage in some active duties of the Christian ministry. He himself had not the health which once supported him in his labours; but he often felt, when he entered the pulpit, a renewal of his energies and a hope of still extended usefulness.

SALIS SCHWABE, Esq., having been requested to take the chair, a vote of thanks was carried by acclamation to Dr. Ashton for his kindness in presiding, and to the Committee, and to Mr. Wadsworth in particular, for the satisfactory manner in which the objects of the meeting had been accomplished and the proceedings arranged.

SOUTHERN UNITARIAN FUND SOCIETY.

The annual meeting of the above Society took place on Good Friday, at Newport, in the Isle of Wight. The devotional service in the morning was conducted by the Rev. W. Smith, of Lewes, and the Rev. John Gordon preached a forcible and appropriate discourse in advocacy of Unitarian principles, from 1 Cor. i. 23, 24. Frederic Russell, Esq., of Kenilworth, was called to the chair at the business meeting of the Society, and the Rev. E. Kell read the annual report, which, as usual, contained reports from the various congregations in the district. We extract the following portion:

“We mentioned in our last report a debt against the new chapel (at Southampton). That debt has been entirely liquidated; and increased congregational subscriptions have enabled the congregation, in union with your Society and with the British and Foreign Unitarian Association, to offer a salary of £100 to their minister, thus enabling a self-devoted pastor to settle in a charge which he may hope shall be permanent. The congregation itself has raised by subscriptions and collections, the last quarter, at the rate of £67 per annum, and numbers twenty-seven subscribers. The establishment of this congregation has been, too, effected at a time when, we regret to say, the missionary spirit among the Unitarian body is at a deplorably low ebb, and when not half-a-dozen instances

exist in the whole kingdom of the successful planting of Unitarian churches upon new ground. This is said, not in a spirit of laudation of the Southern Unitarian Fund Society, for it does little, after all, in proportion to the means of its members, and a portion of that little it is enabled to accomplish by the aid of Unitarians not resident in the district. No; the ground of rejoicing is mentioned only as an incentive to additional exertions, and as an impulse to its members to direct their missionary zeal to some further effort as soon as our Christian brethren at Southampton can do without our aid.

“The object for which the Southern Unitarian Fund Society was founded, as expressed at its formation, was to disseminate Unitarianism by popular preaching in the southern districts of England. And is the object of the institution less urgent now than on the day when its zealous institutors first set in motion its agency for the diffusion of God’s holy truth? Is bigotry less rampant, or does worldly-mindedness less spread its lures to draw away our hearers from the pure worship of our Heavenly Father? The furtherance of a mission to diffuse the truth of God according to the view which men may severally take of it, is incumbent upon every follower of Christ; and an interest in the spread of the gospel is one of the best tests by which he may judge of the influence of that gospel over his deepest affections. The Unitarian Christian cannot consistently unite in those missions of his orthodox brethren which teach the doctrine of the Trinity and other commonly-received errors. He is, therefore, constrained by a regard to the command of his Master, to promulgate Christianity in that form which does approve itself to his own mind. The purposes and objects of the Southern Unitarian Fund Society offer the opportunity of fostering the missionary spirit, and of giving scope for Christian zeal to prove itself in works. We ought to sympathize in the spirit which animated Admiral Gifford, who, in the letter which enclosed the subscription of himself and sister for this year, wrote to Mr. Kell:—‘We could wish our subscription to be carried to the *missionary* department, which we highly value as the means of spreading gospel truth, and as the proof that we ourselves possess a living faith, which therefore, I hesitate not to assert, will prove a great and ornamental pillar of support to our common Christianity.’

“Let the members of this Society be encouraged by sentiments such as these, and by past success, to persevere in ‘their work and labour of love.’ Let them bear up amid the difficulties and trials of their position, never relaxing an effort, but manifesting their willingness ‘to spend and be spent’ in the service of God and of their fellow-men amidst all obloquy, resting assured that a blessing will be upon their efforts, if carried forward in the spirit of love and fidelity ‘as unto God, and not unto man;’ and that though darkness now partially veils His dispensations to our imperfect vision, yet that He will one day bring about the glorious period predicted in Holy Writ, when His name shall be one, and His worship one, throughout the earth.

“Your Committee have recommended that congregational collections should be made, as one of the best modes of interesting the bulk of our people who may be willing to contribute a small offering to missionary effort, though they may not be able to become regular subscribers to your Society. This recommendation, it is hoped, will be carried into effect the ensuing year.”

After the report had been received, and a cordial vote of thanks passed to the preacher, the following resolution was unanimously carried:

“That this meeting begs to record its high estimation of the ardent piety, enlarged benevolence and extensive learning, of the late Rev. John Ken-tish, and its sense of the very valuable services rendered by him to the Unitarian cause during a long and exemplary career, devoted to the best interests of Truth, Freedom and Righteousness; and begs to tender to his venerable and esteemed Widow its respectful and heartfelt sympathy under her bereavement.”

After the transaction of the business connected with the Society, the Rev. John Gordon ably advocated the claims and explained the objects of the Ministers’ Benevolent Society, having been appointed with Mr. Russell as a deputation to the South of England for that purpose. About forty members and friends of the Society then adjourned to the Wheatsheaf inn to dine,—Thomas Cooke, Esq., in the chair. Besides the gentlemen already mentioned, the following also took part in the proceedings of the day—the Revds. T. F. Thomas and H. Hawkes, and Messrs. R. and H. Pinnoek, Sayer, Brannon and Norrington.

The Rev. H. Hawkes in the evening introduced the service, and the Rev. J. Gordon delivered an excellent discourse, from Ezekiel xxxvii. 3, on the application of the Gospel spirit and working to the present state of religious influence among existing sects and parties.

THE EVANGELICAL MAGAZINE ON UNITARIANISM.

This Magazine is a melancholy exponent of the degraded character of a not inconsiderable portion of the religious world of England. It is as drivelling in intellect as it is uncharitable in spirit. The No. for April contains an article on "Unitarianism," which will be read with shame by the intelligent and better-minded of the "orthodox" Dissenters. It first discusses the question, whether Unitarians are Christians? It decides that the faith of Unitarians is no better than that of the Jews, and, detached from what they reject, "amounts to a vile imposture." It next inquires whether Unitarians "are in a *salvable* state?" For some Unitarians it is conceded that their ignorance is so gross, and their prejudices so deeply rooted, though honest, that they may be in no worse condition than Saul of Tarsus. Others, it is feared, like the Pharisees, wilfully shut their eyes against the claims of the Messiah. For Unitarian ministers it is declared there is no hope, on account of their "unfair criticisms and perversions of Scripture," and their "denial of the inspiration of passages that cannot be perverted," which "bespeak wilfulness in error and insincerity of mind." Their "pride of heart and of intellect" is "intolerable"!

Having deprived us of the Christian name and of salvation, this meek and charitable writer strips us of the name "Unitarian," which he asserts means "the union of two or more persons in one God," and he concludes thus: "Deists is the proper distinctive appellation of the body on whom these strictures have been made. They are not *Unitarians*, and they are not *Christians*."

Whether this accuser of the brethren

have more of the spirit of Jesus or of Saul of Tarsus, and whether he or the objects of his censure be more like the Pharisees of old, we leave to candid and truth-loving men of all sects and parties to decide. But while theological ignorance and wanton uncharitableness like this is circulating in 50,000 copies through the land, it is evident enough that we cannot safely lay down our arms, or indulge the amiable but weak conceit that the time for controversy is past.

PLYMOUTH CONGREGATION.

The Rev. W. J. ODGERS, at present of Plymouth, having accepted an invitation from the Unitarian congregation at Bath to become its minister, a special general meeting of the subscribers of the Plymouth Unitarian congregation was held on the 20th March, 1853, to receive his resignation, when the following resolutions were unanimously adopted:

Resolved, that this congregation has received with the deepest regret the intimation conveyed to it by the Rev. William James Odgers, of his intended removal to Bath; but such regret is entirely founded on the great permanent loss which will be sustained by this congregation from the withdrawal of his invaluable services, both in and out of the pulpit, as its minister; and also by the inhabitants of Plymouth generally, from the absence of his multiplied and energetic endeavours in promoting the welfare of the humbler classes, and of every benevolent and useful institution in this neighbourhood.

Resolved, that the best thanks of this congregation be tendered to him for his unremitting care of it from the first period of his connection with it as its pastor, a period of twenty-one years, with anxious wishes for the well-being of himself and his family.

Resolved also, that a subscription be opened for the presentation to him of some appropriate testimonial, prior to his departure.

Resolved, that the Committee be desired to take such measures as they may deem best for supplying the vacancy thus occasioned.